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ALABAMA  
VOLUME 11

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EIGHTH SESSION.

THE

# ACTS AND RESOLUTIONS

OF THE

General Assembly

OF THE

STATE OF FLORIDA,

PASSED AT ITS EIGHTH SESSION,

BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF TALLAHASSEE,  
ON MONDAY, NOVEMBER 24, 1856.

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1857.

THE  
AMERICAN  
REPUBLICAN PARTY

THE AMERICAN REPUBLICAN PARTY

1870

THE AMERICAN REPUBLICAN PARTY  
1870

THE AMERICAN REPUBLICAN PARTY  
1870

# TITLES OF ACTS AND RESOLUTIONS

Passed at the Eighth Session of the General Assembly,

1856.

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- CHAPTER 775. An Act further to define the duties of the Board of Trustees of the Internal Improvement Fund.
776. An Act to accept of the grant and carry into execution the trust conferred upon the State of Florida by an act of Congress entitled "An act granting Public Lands in alternate sections to the States of Florida and Alabama, to aid in the construction of certain Railroads in said States," approved May 17th, 1856.
777. An Act to amend and alter the law in regard to Auctioneers in this State.
778. An Act supplementary to an Act entitled an Act to provide for the relinquishment to the United States in certain cases of title to and jurisdiction over lands for sites of Light Houses, and for other purposes, on the coast and waters of this State.
779. An Act to amend an Act to authorize the business of Banking.
780. An Act further to define the duties of the Probate Courts of this State.
781. An Act relative to Associations organized to construct Lines of Telegraph.
782. An Act to protect the Telegraphic Wires and Posts in the limits of the State, and for other purposes.
783. An Act granting a charter to the American Telegraph Company, to enable them to construct Lines of Electric Telegraph in this State, and to maintain the same.
784. An Act granting to Trustees for the benefit of the Alabama and Florida Railroad Company lands granted to the State of Florida by the Congress of the United States for the purpose of aiding in the construction of a Railroad from Pensacola to the State line of Alabama, in the direction of Montgomery.
785. An Act to provide for the Payment of the Debts of the State.
786. An act to protect Actual Settlers and Cultivators on State Lands in this State.
787. An Act to amend an Act entitled an Act to authorize County Commissioners to extend charters to Bridges and Ferries.
788. An Act to secure the better execution of the Patrol Laws.



789. An Act to regulate Pilotage at the port of Fernandina, in the county of Nassau, and the port of Cedar Key, county of Levy.
790. An Act to prevent Slaves from hiring their own time, and for other purposes.
791. An Act to benefit Commerce.
792. An Act to provide for the maintenance, care and custody of Lunatics or insane persons in this State.
793. An Act providing for the payment to the several counties of the interest arising from the School Fund not heretofore drawn.
794. An Act to amend an Act entitled an Act to authorize Judges of Probate of the several counties in this State to appoint Guardians for Free Negroes.
795. An Act to prevent trading with free persons of color in this State.
796. An Act to locate the Seminary of Learning to be established West of the Suwannee.
797. An Act to regulate the Pilotage of the St. Johns Bar and River.
798. An Act to fix the time of holding Courts in the Middle Circuit of Florida.
799. An Act to amend an Act to incorporate the town of Milton in Santa Rosa county, approved 23d February, 1844.
800. An Act to prevent unnecessary cost in suits at law in this State.
801. An Act to facilitate the construction of the St. Johns and Indian River Canal.
802. An Act to authorize the Register to sell (16th) sections in certain cases.
803. An Act in relation to Pilotage at the port of Key West, in the county of Monroe.
804. An Act authorizing the County Commissioners of Escambia county to subscribe for stock in the Alabama and Florida Railroad Company.
805. An Act to incorporate the Perdido Railroad Company.
806. An Act to create and organize the counties of Lafayette and Taylor.
807. An Act to incorporate a Bank in the City of Apalachicola.
808. An Act to change the name of the site of Manatee county.
809. An Act to repeal an Act in relation to a Road Tax in the counties of Putnam and Marion.
810. An Act to protect the inhabitants of Duval county from intrusions by sailors on the Sabbath day.
811. An Act to define the boundary line between Duval and Nassau counties.
812. An Act to require the Register of State Lands to have all the School Lands of Columbia, Marion, Levy, Hamilton, Hillsborough, Santa Rosa, Escambia, St. Johns, Alachua, Madison and Orange counties that have not been offered for sale appraised and offered.
813. An Act to provide for the election of a county site of Holmes county.
814. An Act to repeal an Act entitled an Act authorizing a road tax in Hernando county, approved Dec. 14th, 1855.
815. An Act to amend the road laws of Nassau county, in this State.



816. An Act to repeal the 5th section of an Act entitled an Act to organize the county of Sumpter, approved January 8th, 1853.
817. An Act to exempt the residents of Cedar Keys from road duty in certain cases.
818. An Act to change the location of the county site of Calhoun county.
819. An Act to repeal an Act entitled an Act to permanently locate the county site of Hernando county, approved Dec. 29th, 1854, and to provide for the more central and satisfactory location of the county site of said county.
820. An Act to amend the road law applicable to the county of Duval.
821. An Act to separate the office of Tax-Assessor and Collector from that of Sheriff in Alachua county.
822. An Act to fix and locate the county site of Orange county.
823. An Act to repeal and amend the 4th section of an act entitled an Act authorizing a road tax in Hernando county, approved Dec. 14th, 1855.
824. An Act to define specifically the duties of the Board of County Commissioners of Monroe county.
825. An Act for the better government of slaves in the county of Monroe.
826. An Act for the relief of Dr. George D. Fisher.
827. An Act to enable Joseph M. Taylor, of Hernando county, to enter and pay for certain portions of the Common School Lands.
828. An Act to change the name of Joshua Jesse Stafford to Joshua Jesse Sanford.
829. An Act to authorize Mary Morino, a minor, to assume the management of her own estate.
830. Bill for the relief of Isaiah Cobb, ex-Sheriff of Santa Rosa county.
831. An Act to empower Watson Ashurst, a minor, to act as Deputy Clerk.
832. An Act for the relief of Joel Walker, late Sheriff of Jefferson county.
833. An Act to empower Arthur Macon, a minor, to assume the management of his own estate.
834. An Act to authorize Fitzwilliam B. Taylor, of Jefferson county, to assume the management of his own estate.
835. An Act to change the names of certain persons therein named.
836. An Act to allow Wm. S. Perry to enter the Northwest quarter of section sixteen, township ten, range twenty-two of the Common School Lands.
837. An Act to authorize Willam H. Watson to establish a ferry across the Suwannee and Withlacoochee rivers.
838. An Act to legalize the will of John Perry, deceased.
839. An Act for the relief of William H. Hickman, of Putnam county.
840. An Act empowering the Register to sell to Nathaniel Fowler a quarter section of land.
841. An Act to authorize Harrison Fairbanks to establish a ferry across Oclocknee river.
842. An Act to authorize N. A. Jameson to establish a ferry across the Santa Fe river.

843. An Act to authorize Daniel Young to establish a ferry across the Suwannee river at or near the Warehouse.
844. An Act for the relief of Haley T. Blocker, Sheriff of Leon county.
845. An Act to authorize Samuel A. Pearce to establish a ferry on the Yellow river.
846. An Act to authorize George Bell, a minor, to assume the management of his own estate.
847. An Act to authorize James W. Bryant to establish a ferry across the St. Johns river.
848. An Act to authorize Andrew Jackson Deens to establish a ferry across the Escambia river.
849. An Act to change the names of James Bell, Martha Ann Odham and Emory Odham.
850. An Act for the relief of Alexander Purviance, Absalom S. Smith, Ira S. Rouse and W. W. Burke.
851. An Act to change the name of Julia E. Falana, and for other purposes.
852. An Act to change the name of Sarah A. Falana.
853. An Act to authorize Richard Ellison to establish a ferry on the Suwannee river.
854. An Act for the relief of N. O. J. Staley, Tax-Assessor and Collector of Jackson county.
855. An Act to declare Yellow river navigable.
856. An Act to supply the deficiency of the appropriation of the last fiscal year for contingent expenses of the Supreme Court.
857. An Act to supply the deficiency of the appropriation of the last General Assembly.
858. An Act for making appropriations for the expenses of the State government for the fiscal year 1857, and for other purposes.

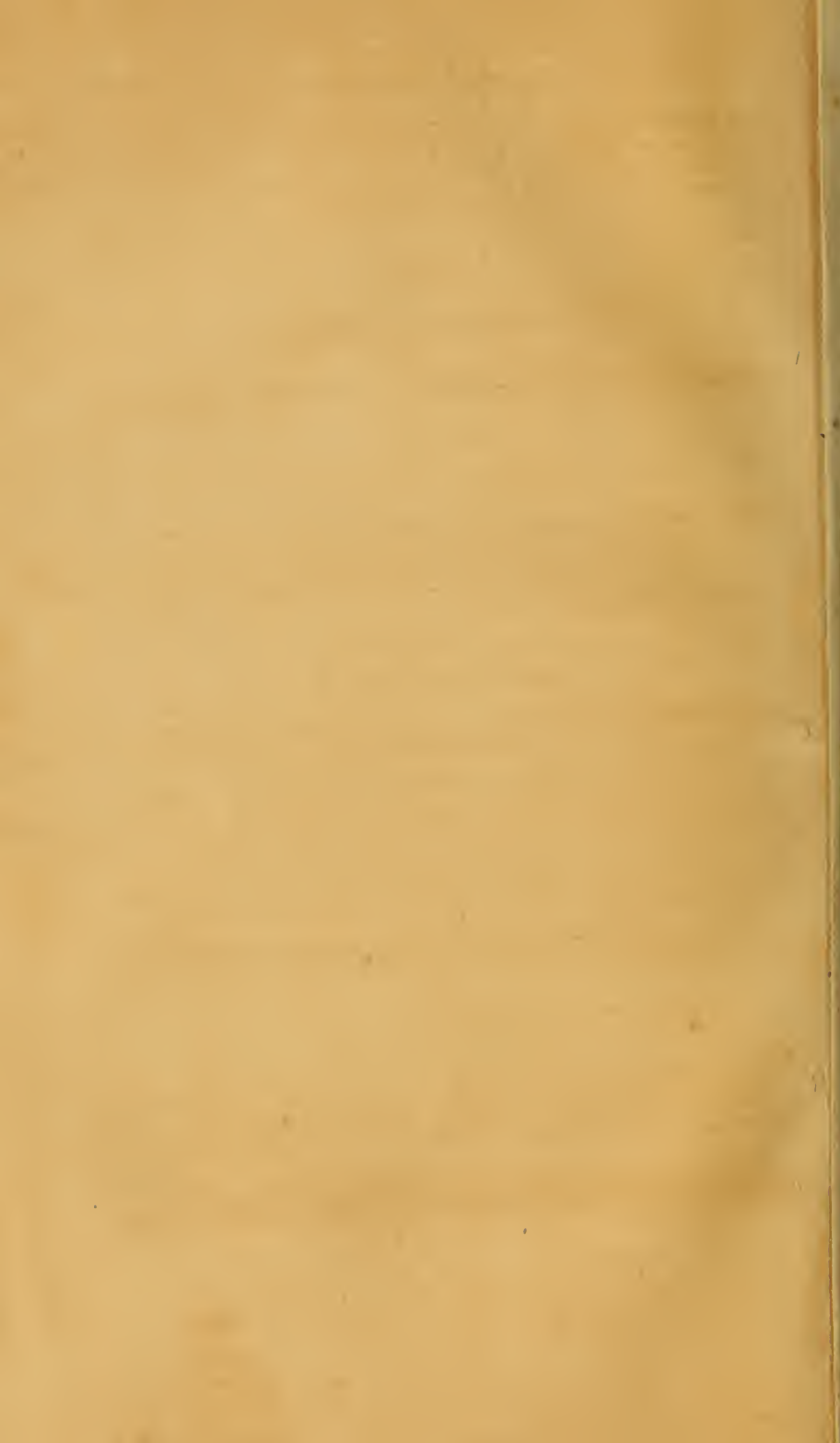
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## RESOLUTIONS.

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1. A Resolution asking Congress to establish a Mail Route.
2. Resolution asking Congress to establish a Mail Route from Mellonville to Bay Port.
3. Resolution asking Congress to establish a Mail Route.
4. Resolutions asking Congress to grant lands to this State in lieu of the 16th sections in Forbes' Purchase and the Arredondo Grant, and all other grants.
5. Resolution asking Congress to grant the St. Francis' Barracks to the City of St. Augustine.
6. Resolution for the relief of John S. Perry.
7. Resolution for the relief of R. H. M. Davidson and M. M. Johnson.

8. Resolution for the relief of J. W. Bryant.
9. Resolution.
10. Resolution for the relief of John B. Cason and David Gray.
11. Resolution for the relief of Robert Youngblood.
12. Resolution authorizing the Governor to turn over forty muskets and accoutrements to the Ancient City Guards.
13. Resolution relative to the establishment of a Land Office in the town of Milton, Santa Rosa county.
14. Resolution providing for the copying the laws passed by this General Assembly.



# L A W S

OF THE

## STATE OF FLORIDA,

PASSED AT THE EIGHTH SESSION OF THE GENERAL ASSEMBLY,

1856.

JAMES E. BROOME, Governor. F. L. VILLEPIGUE, Secretary of State. T. W. BREVARD, Comptroller of Public Accounts. CHARLES H. AUSTIN, State Treasurer. M. D. PAPY, Attorney General. PHILLIP DELL, President of the Senate. S. J. PERRY, Secretary of the Senate. H. V. SNELL, Speaker of the House. HUGH A. CORLEY, Clerk of the House.

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### CHAPTER 775.—[No. 1.]

AN ACT further to define the duties of the Board of Trustees of the Internal Improvement Fund.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the Board of Trustees of the Internal Improvement Fund be, and they are hereby required to report biennially to the General Assembly upon the several matters committed to their charge, and such other matters as may be deemed proper in connection therewith.

To report to  
General As-  
sembly.

[Passed the Senate December 18, 1856. Passed the House of Representatives, December 22, 1856. Approved, December 27, 1856.]

### CHAPTER 776.—[No. 2.]

AN ACT to accept of the grant and carry into execution, the trust conferred upon the State of Florida, by an act of Congress entitled, "An act granting Public Lands in alternate sections to the States of Florida and Alabama, to aid in the construction of certain Rail Roads in said States," approved May 17th, 1856.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That



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Grant accept'd.

Lands, &c.,  
granted to Ala-  
bama and Flo-  
rida Railroad  
Company.

the Lands, rights and privileges granted to and conferred upon the State of Florida by the act of Congress, entitled "An Act granting public lands in alternate sections to the States of Florida and Alabama, to aid in the construction of certain Railroads in said States," approved May 17th, 1856, be, and the same are hereby accepted, upon the terms, conditions and restrictions in said Act of Congress.

SEC. 2. *Be it further enacted*, That so much of the lands, interests, rights, powers and privileges, as are or may be granted and conferred in pursuance of the Act of Congress aforesaid, to aid in the construction of the Alabama and Florida Railroad, extending from Pensacola to the State Line of Alabama in the direction of Montgomery, are hereby disposed of, granted to, and conferred upon the "Alabama and Florida Railroad Company," a body corporate, created and existing under the Laws of Florida.

[Passed the Senate, December 20, 1856. Passed the House of Representatives, December 24, 1856. Approved, December 27, 1856.]

### CHAPTER 777.—[No. 3.]

AN ACT to amend and alter the law in regard to Auctioneers in this State.

Persons of-  
fering prop-  
erty at auction  
not required to  
employ licen-  
sed auctioneers

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That so much of the law regulating auction sales as compels persons to employ a licensed Auctioneer, when offering their own private property at auction, be, and the same is hereby repealed, and that hereafter no persons failing or refusing to engage the service of a Licensed Auctioneer shall be liable for damages therefor.

Not to con-  
flict with law  
so far as relates  
to cities, &c., or  
to property not  
in state at least  
six months.

SEC. 2. *Be it further enacted*, That no part of this law shall conflict with the present law now in force, so far as relates to all incorporated Towns or Cities, in this State, or any property, goods or merchandise, that has not been in this State at least six months before the offering of said property, goods or merchandise for sale.

[Passed the House of Representatives, December 15, 1856. Passed the Senate, December 18, 1856. Approved December 22, 1856.]

### CHAPTER 778.—[No. 4.]

AN ACT supplementary to an Act entitled an Act to provide for the relinquishment to the United States in certain cases of title to and jurisdiction over lands for sites of Light-Houses, and for other purposes, on the coast and waters of this State.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That



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whenever it shall be made to appear to either of the Circuit Courts of this State, upon the application of any authorized agent of the United States, that the said United States are desirous of purchasing any tract of land within the limits of this State for the erection of a light-house, beacon light or range light, and that the owners of said lands are unknown, non-residents or minors, or from any other cause are unable to make a perfect title to said lands, it shall and may be lawful for the Judge of the Circuit Court in which the lands so designed to be published shall be situated, to order a notice of the said application to be published in some newspaper nearest to where the said lands lie for the space of three months, which notice shall contain an accurate description of the said lands, together with the names of the supposed owners, and shall require all persons interested in the said lands to come forward and file their objections, if any they should have, to the proposed purchase; and at the expiration of the period provided in the said notice, it shall and may be lawful for the said Circuit Court to empanel a jury, in the manner now provided by law, to assess the value of said lands, which amount, when so assessed, together with the entire cost of said proceedings, shall be paid into the Registry of the Court, and thereupon the Sheriff of the said Court shall execute to the United States a deed of the said lands, reciting the proceedings in the said cause, which said deed shall convey to the said United States a good and absolute title to the said lands against all persons whatever.

Application to Circ't Court by U. S. for lands how and in what cases made.

Notice to be given.

Jury to assess value of land.

Money to be paid in registry of Court.

SECTION 2. *Be it further enacted*, That the money so paid into the Registry of said Court shall there remain until paid out by the order of said Court to such person or persons as may by sufficient evidence entitle themselves to receive the whole or any part thereof.

Money paid out on order of Court.

[Passed the House of Representatives, December 5th, 1856. Passed the Senate, Dec. 15th, 1856. Approved Dec. 23rd, 1856.]

## CHAPTER 779.—[No. 5.]

AN ACT to amend an act to authorize the business of Banking.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That the bonds of the several Railroad companies issued under the provisions of the act entitled "an act to provide for and encourage a liberal system of Internal Improvements in this State," approved January 6th, 1855, and guaranteed in accordance with the provisions of said act, shall, for all the purposes of the act to which this is an amendment, be considered as public stock of this State, and may be received by the Comptroller of Public Accounts on the same footing with other public stock.

Railroad bonds may be received by Comptroller as stock for purposes of banking.

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County bonds  
for like pur-  
poses.

SEC. 2. *Be it further enacted*, That the bonds which have been, or may hereafter be issued by any County, City, or Town, in this State, for the purchase of stock in any of the Railroads or other works of Internal Improvement, shall be received by the Comptroller in the same manner and upon the same terms with the public stock of this State, or of other States of this Union, or of the United States, under the second section of the act to which this is an amendment.

Stockholders  
liable for debts  
*pro rata*.

SEC. 3. *Be it further enacted*, That the twenty-third section of an act to which this is an amendment be, and the same is hereby repealed, and that the private property of the Stockholders in any such banking association, shall be liable for the full amount of all the liabilities of said bank of every nature and description *pro rata*, according to the amount of stock owned by each stockholder.

[Passed the Senate, December 27, 1856. Passed the House of Representatives, December 27, 1856. Approved December 29, 1856.]

### CHAPTER 780.—[No. 6.]

AN ACT further to define the duties of the Probate Courts of this State.

Orders as to  
land warrants  
declared valid.

Authorized  
to grant orders

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That all said orders of the Probate Court granting authority to sell Military Land Warrants heretofore made to the guardians of minors are and shall be declared valid; and upon the application of guardians for leave to sell his ward's interest in any Military Land Warrant, the Probate Judge shall have jurisdiction to grant said order, and his fees in the premises for the order, certificate, &c., upon each Military Warrant, shall be one dollar. All laws that may appear to conflict in any way with this act are hereby repealed.

Powers of  
Judges of Pro-  
bate in relation  
to sale of land.

SECTION 2. *Be it further enacted*, That the Judges of Probate of the several counties of this State shall have the same powers in relation to the sale of the real estate of deceased persons and of minors as is vested in the Circuit Courts by an act approved the 23d January, A. D., 1851; and they shall be governed by the rules and provisions of said act.

[Passed the House of Representatives, Dec. 11th, 1856. Passed the Senate, Dec. 16th, 1856. Approved Dec. 22nd, 1856.]

### CHAPTER 781.—[No. 7.]

AN ACT relative to Associations organized to construct Lines of Telegraph.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That

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at any time hereafter any ten or more persons, of whom at least five shall be citizens of the State of Florida, who shall be desirous to form a company for the purpose of projecting, or extending or erecting any line or lines of telegraph through this State, or from one point of this State to another, or from any point in this State to and into any other State or country, may make, sign and file in the office of the Secretary of State of this State a certificate in writing, in which shall be stated the corporate name of said company and the objects for which said company is formed, the amount for which each of said persons subscribed and the amount of the capital stock of the said company, the number of shares of which the said stock shall consist, the number of Trustees or Directors, and their names, who shall manage the concerns of the said company for the first year, and the points in this State from and to or through which the said line or lines are to be extended.

Association,  
how formed.

Certificate of  
name and ob-  
ject.

Body politic  
and corporate.

SEC. 2. *Be it further enacted*, That as soon as such certificate shall be filed as aforesaid, the persons who shall have signed the said certificate, and their successors, shall, after the day of filing such certificate, be a body politic and corporate, by the name stated in such certificate, and by that name they and their successors shall and may have succession and shall in law be capable of suing and being sued, pleading and being impleaded, and answering and being answered unto, defending and being defended, in all Courts and places whatsoever, in all manner of actions, suits, complaints, matters and causes whatsoever, and they and their successors may have a common seal, and the same may make, alter and change at their pleasure; and they and their successors, by their corporate name, shall in law be capable of buying, purchasing, holding and conveying any lands and tenements necessary to enable the said company to carry on their business and operations.

Powers of.

Trustees to  
manage, &c.

SEC. 3. *Be it further enacted*, That the stock, property and concerns of said company shall be managed and conducted by five Trustees or Directors, two of whom shall be citizens of this State, who, except those for the first year, shall be elected at such time and place as shall be directed by the by-laws of said company, and public notice shall be given of the time and place of holding such election, not less than ten days previous thereto, in the newspaper nearest to the place where such election is to be held within this State: and the election shall be made by such of the stockholders as shall attend for that purpose, either in person or by proxy, and all elections shall be by ballot, and each stockholder shall be entitled to as many votes as he owns shares of stock, and the persons having the greatest number of votes shall be Trustees; and whenever any vacancies shall happen among the Trustees by death, resignation or removal out of the State, such vacancy shall be filled for the remainder of the year in such manner as shall be provided by the by-laws of the said company.

How elected.

Vacancies.

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Failure to  
elect no disso-  
lution.

SEC. 4. *Be it further enacted*, That in case it shall at any time happen that an election of Trustees be not made on the day when by the by-laws of the said company it ought to have been done, the said company for that cause shall not be dissolved, but it shall and may be lawful on any other day to hold an election for Trustees, in such manner as shall be directed by the by-laws of such company.

Capital stock.

SEC. 5. *Be it further enacted*, That the capital stock of any company organized under this act may be increased to such an amount as the stockholders, or a majority of them, may from time to time declare and determine to be necessary to affect the objects of the association.

Company  
may contract  
for grants, com-  
missions, &c.

SEC. 6. *Be it further enacted*, That it shall be lawful for any company which shall organize under this act, to contract for and purchase from any person or persons, corporations or governments, any grants, concessions or privileges, of whatever nature, which they may desire for the prosecution of their enterprise, and to issue stock to the amount of the costs of such concessions, grants and privileges, in payment therefor, and the stock so issued shall be declared and taken to be full stock, not liable to any call or demand whatsoever, provided that all such concessions, grants and privileges shall be necessary or material to the objects of the association, and provided also that no banking privileges shall be acquired or exercised by any company organized under this act.

Restriction  
as to same.

Liability of  
stockholders.

SEC. 7. *Be it further enacted*, That each and every stockholder shall be individually liable to the creditors of said corporation for so much as may remain unpaid upon his or her subscription and no further.

Name.

SEC. 8. *Be it further enacted*, That no organization made under this act shall bear the name of any previous organization or company which may have been formed under this act.

Operations,  
when to com-  
mence.

SEC. 9. *Be it further enacted*, That every company to be organized under this act which shall not commence active operations in this State within twelve months from filing the certificate of organization in the office of Secretary of State, shall be and is hereby declared divested of all the privileges acquired under this act, and the said organization shall be deemed and held to be dissolved and void.

Power to  
make by-laws.

SEC. 10. *Be it further enacted*, That the stockholders of any company organized under the act, or a majority of them, shall have power to establish and ordain such by-laws, rules and regulations for the government of said company, and for the appointment of such officers and servants deemed necessary, as may seem to them expedient, and from time to time, alter, change or amend the same in such manner as the said stockholders or a majority of them may determine.

[Passed the House of Representatives, December 22, 1856. Passed the Senate, December 26, 1856. Approved, December 27, 1856.]



CHAPTER 782.—[No. 8.]

AN ACT to protect the Telegraph Wires and Posts in the limits of the State and for other purposes.

WHEREAS, Many of the citizens of the State of Florida are interested in the construction of lines of the magnetic telegraph, and desire the protection of their property and the privilege of using the public roads and highways for their posts and wires—Therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That any company or individual may erect posts and wires and other fixtures for telegraph purposes on or beside of any public road or highway in this State: *Provided,* That such posts, wires or fixtures shall in no case be so set or placed as to obstruct, hinder or any way interfere with the common uses or business of said roads or highways.

Post and wires for telegraphic purposes may be erected.

Not to interfere with use of roads, &c.

SECTION 2. *Be it further enacted,* That if any person shall wilfully destroy, damage or any way injure said telegraph posts, wires or fixtures, he, she or they so offending shall be deemed guilty of a misdemeanor, and may be indicted in the Circuit Court of the county where such damage may be done, and shall, on conviction, be fined not less than fifty dollars or imprisoned in the common jail of the county not less than six months, or by both such fine and imprisonment, at the discretion of the jury; and if there be no jail in said county, then in any jail in the circuit or district.

Penalty for injuring posts or wires, &c.

SECTION 3. *Be it further enacted,* That the Circuit Judges of the State shall give this act in special charge to the Grand Jury at every term of their Court.

[Passed the Senate, Dec. 17th, 1856. Passed the House of Representatives, Dec. 23d 1856. Approved Dec. 30th, 1856.]

[CHAPTER 783.—[No. 9.]

AN ACT granting a charter to the "American Telegraph Company," to enable them to construct lines of Electric Telegraph in this State, and to maintain the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the American Telegraph Company of the city of New York, a company organized under the laws of the State of New York, are hereby authorized to construct lines of electric telegraph within the limits of the State of Florida, and to maintain and operate the same.

Authorized to construct lines of telegraph.

SECTION 2. *Be it further enacted,* That the said company is

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Right to erect posts, locate lines, &c.

Permission therefor.

Not to obstruct use of roads, &c.

May connect with other lines.

Right to land submarine cables.

Proviso.

Right to cut down and remove trees, &c.

Compensation to owner.

Duty to receive & transmit messages.

Breach of faith Damages for.

Penalty for injury to property of company.

hereby authorized to locate and construct its lines of telegraph as aforesaid along and upon any public road or highway, or across any water, or upon any railroad or private property, for which permission shall first have been obtained of the proprietors thereof, by the erection and construction of all the necessary fixtures, including posts, piers or abutments, for sustaining the wires when stretched through the air, and the necessary excavations when placed under the ground; but the same shall not be so constructed as to incommode the public use of said roads or highways, or injuriously interrupt the navigation of said waters.

SECTION 3. *Be it further enacted*, That said company shall have power, by agreement with other persons or bodies corporate, to connect, by lease, purchase or otherwise, their lines of telegraph constructed within or without this State.

SECTION 4. *Be it further enacted*, That said company shall have and enjoy for a period of twenty years from the passage of this act the right of landing submarine cables or wires for telegraphic communication upon the shores or territory within the jurisdiction of this State: *Provided*, however, that said company shall within two years connect the Island of Cuba with the American continent by a submarine telegraphic cable.

SECTION 5. *Be it further enacted*, That said company, in the construction of all land lines as aforesaid, shall have a right to cut down or remove any trees, except ornamental or shade trees, which may be within the limits of the highways and which would obstruct the erection or construction of their lines or injure them by falling; and trees standing upon lands by the side of any road by which the said lines shall be located may also be cut down or removed, if necessary for the safety of such lines of telegraph; and the owner of said land shall be entitled to compensation therefor, to be ascertained, if the parties do not agree, in the same manner as damages are ascertained for land taken for highways; and the said company shall be held to pay the amount so ascertained.

SECTION 6. *Be it further enacted*, That it shall be the duty of the company, whenever any line constructed by them shall be in readiness for operation, to receive messages from all persons or corporations on the payment of their usual charges and under the general rules and regulations of said company, and transmit the same in good faith and with impartiality: *Provided*, however, that nothing in this act shall exonerate said company from liability for the payment of damages at common law for any breach of contract or for good faith.

SECTION 7. *Be it further enacted*, That any person doing any intentional or wilful injury to any of the property of said telegraphic company within the jurisdiction of this State shall, on conviction thereof, be adjudged guilty of a misdemeanor and punished accord-



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ingly, and shall be liable to said company for all damages to their said property, to be recovered in an action of trespass therefor.

SECTION 8. *Be it further enacted*, That this act shall take effect and be in force from and after its approval by the Governor.

When to take effect.

[Passed the Senate, Dec. 10th, 1856. Passed the House of Representatives, Dec. 23d, 1856. Approved Dec. 27th, 1856.]

## CHAPTER 784—[No. 10.]

AN ACT granting to Trustees for the benefit of the Alabama Railroad Company lands granted to the State of Florida by the Congress of the United States for the purpose of aiding in the construction of a Railroad from Pensacola to the State line of Alabama in the direction of Montgomery.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That all the rights, powers and privileges and all the title and interest of the State of Florida in and to the lands granted by act of Congress, approved the 17th of May, 1856, entitled "An Act granting public lands in alternate sections to the States of Florida and Alabama, to aid in the construction of certain railroads in said States," so far as the same relates to the construction of a railroad from Pensacola to the State line of Alabama, in the direction of Montgomery, be and the same are hereby granted to the President and Directors, and their successors in office, of the Alabama and Florida Railroad Company, incorporated by the Legislature of the State of Florida, approved by the Governor January 8th, 1853, to be held by the said President and Directors and their successors in office in trust for the uses and purposes mentioned in said act of Congress.

Grant to A. & Fla. Railroad Co.

SECTION 2. *Be it further enacted*, That the said President and Directors and their successors in office may at any time after the passage of this act proceed to sell or assign one hundred and twenty sections of the said lands; and when twenty miles of said railroad shall have been completed, they may sell or assign one hundred and twenty sections more of said land; and when the whole extent of said railroad shall have been completed, the remainder of the lands enuring to the said railroad company by the said act of Congress may be sold or assigned by the said President and Directors and their successors in office: *Provided* the said remainder shall not exceed one hundred and twenty sections.

President and Directors may sell lands, when.

SECTION 3. *Be it further enacted*, That the proceeds of all such sales or assignments of said lands shall be appropriated and applied in aid of construction of said railroad.

Proceeds of, how applied.

[Passed the Senate, Dec. 5th, 1856. Passed the House of Representatives, Dec. 10th, 1856. Approved Dec. 23rd, 1856.]

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## CHAPTER 785.—[No. 11.]

AN ACT to provide for the payment of the Debts of the State.

Governor to  
issue Bonds.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the Governor of this State be, and he is hereby authorized and directed to issue bonds, in the name and in behalf of the State of Florida, for a sum not exceeding five hundred thousand dollars, which bonds shall be signed by the Governor, who shall cause the great seal of the State to be affixed to each, countersigned by the Treasurer, attested by the Secretary of State, and recorded in the office of the Comptroller of Public Accounts.

When and for  
what sum is-  
sued.

SEC. 2. *Be it further enacted,* That said bonds shall be issued in such sums, not less than one hundred dollars, as the Governor may deem expedient, and at such time or times as may be found necessary to discharge the debts and liabilities of the State, now due or running to maturity, including all loans made by the Governor, and used in suppressing Indian hostilities in the year one thousand eight hundred and fifty-six; and said bonds shall be payable in the city of New York, Charleston or Tallahassee, as may be deemed best for the interest of the State, and shall bear interest at the rate of seven per cent. per annum, payable semi-annually; and the said bonds shall be payable twenty years from the day on which they bear date.

Where & when  
payable.

Interest on.

Governor to  
negotiate.

SEC. 3. *Be it further enacted,* That the Governor of this State be requested, and is hereby authorized to negotiate the sale of said bonds authorized to be issued, or so many thereof as may be necessary for the purpose aforesaid, and shall have power and authority to sell the same at not less than their par value.

Governor to  
negotiate loan.

SEC. 4. *Be it further enacted,* That in case the Governor cannot sell a sufficient amount of said bonds, at par, to pay the debts of the State, then he is requested, and hereby authorized, to negotiate a loan for and in behalf of the State, on the best terms practicable, and to hypothecate the said bonds, or so many thereof as may be found necessary, as security for the money so borrowed.

Interest when  
to be paid.

SEC. 5. *Be it further enacted,* That the Treasurer is hereby authorized and required to pay semi-annually the interest as it becomes due on such bonds as may be issued under the provisions of this Act, and on such loans as the Governor may effect.

Appropriation  
to pay Bonds.

SEC. 6. *Be it further enacted,* That all sums of money which shall be paid to the State by the Government of the United States, on account of the expenditures of the State in suppressing Indian hostilities therein, shall be, and the same is hereby, appropriated for the liquidation of said bonds.

Expenses of  
Governor to be  
paid.

SEC. 7. *Be it further enacted,* That the Governor be, and he is hereby allowed all reasonable expenditures which shall be incurred by

AMERICAN  
WARREN STATE

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him while engaged in selling said bonds or negotiating said loan, and the Comptroller is hereby authorized to audit his account and issue a warrant on the Treasury for the same, together with such sum as may be necessary to pay for printing said bonds.

SEC. 8. *Be it further enacted*, That the sum of five thousand dollars a year is hereby directed to be set apart and specially reserved in the Treasury, as a sinking fund, for the ultimate redemption of the principal of said sum to be invested by the Treasurer, with the consent of the Governor, in stocks of the United States, or State securities, or in bonds herein provided to be issued by the provisions of this Act.

Sinking fund.

[Passed the House of Representatives, December 11, 1856. Passed the Senate, December 22, 1856. Approved December 27, 1856.]

### CHAPTER 786.—[No. 12.]

AN ACT to protect actual settlers and cultivators on State lands in this State.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That all persons living and actually cultivating any lands belonging to this State, shall be entitled to a pre-emption to one hundred and sixty acres in preference to all other persons applying to enter the same.

Pre-emption to actual settlers.

SEC. 2. *Be it further enacted*, That if any person so settling and cultivating such land shall neglect or fail to enter and pay for such land in ninety days after said land is offered for sale at the appraised value, all such persons shall forfeit all right of pre-emption to the same.

When land to be applied for.

SEC. 3. *Be it further enacted*, That all laws and parts of laws conflicting with the provisions of this act be and the same are hereby repealed.

Repeal.

[Passed the House of Representatives, Dec. 22nd, 1856. Passed the Senate, Dec. 24th, 1856. Approved Dec. 27th, 1856.]

### CHAPTER 787.—[No. 13.]

AN ACT to amend an Act entitled an Act to authorize County Commissioners to extend charters to Bridges and Ferries.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That from and after the passage of this act it shall be lawful for the County Commissioners of the several counties of this State to ex-

Co. Commissioners authorized to extend charters.

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Limitation of.

tend charters to bridges and ferries for a period of time not to exceed ten years, at the discretion of said Board of County Commissioners, with the same rules and regulations heretofore provided by law.

[Passed the House of Representatives, Dec. 20th, 1856. Passed the Senate, Dec. 23rd, 1856. Approved Dec. 27th, 1856.]

## CHAPTER 788.—[No. 14.]

AN ACT to secure the better execution of the Ptol Laws.

Judge to  
charge Grand  
Jury.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That it shall be the duty of the Judges of the Circuit Courts to give a special charge to the Grand Jurors to enquire whether the several Justices of the Peace have compelled a strict performance of the Patrol Laws in their respective district, and present all Justices who have failed to have said laws executed.

Penalty for  
failure of J. P.  
to perform du-  
ty.

SEC. 2. *Be it further enacted*, That any and every Justice of the Peace who shall be convicted of failing to have said Patrol Laws executed, shall be fined not less than twenty nor more than one hundred dollars, at the discretion of the Court.

Repeal.

SEC. 3. *Be it further enacted*, That all laws or parts of laws conflicting with this act be and are hereby repealed.

[Passed the House of Representatives, Dec. 22nd, 1856. Passed the Senate, Dec. 24th, 1856. Approved Dec. 27th, 1856.]

## CHAPTER 789.—[No. 15.]

AN ACT to regulate Pilotage at the Port Fernandina, in the county of Nassau, and the Port of Cedar Key, county of Levy.

Commissioners  
how appointed

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That the Governor of the State of Florida shall, by and with the consent of the General Assembly, be and he is hereby authorized to appoint five discreet and proper persons to act as Commissioners of Pilotage for the Port of Fernandina, any three of whom, the Chairman being one, shall be a competent Board for the transaction of business. The Commissioners so appointed shall hold their offices for a period of four years; but, in case of any vacancy by death, resignation or otherwise of any Commissioner so appointed, the Board shall be and they are hereby authorized to fill such vacancy or vacancies by

Term of.

Vacancies.



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the appointment of a fit and proper person or persons, who shall forthwith enter upon the duties of Commissioner of Pilotage for the unexpired term of the then acting Board. The said Commissioners of Pilotage, before entering upon the duties of their office, shall severally make oath in writing before some judicial officer of the State of Florida to discharge their duties as Commissioners of Pilotage diligently and faithfully, to the best of their skill and ability. The said Commissioners of Pilotage shall have power to make all such rules and regulations as may be necessary for the performance of their own duties and the government of the Pilots, and shall from time to time appoint one of their own members to act as Chairman of the said Board, whose duty it shall be to preside over all meetings of the Board, and to keep a record of their proceedings, which record shall be transferred to their successors in office, and to see that the by-laws and regulations of said Board, not conflicting with the laws of the United States or of this State, be carried into effect.

Oath of.

Power to make rules and regulations.

Chairman, duties of.

Record of proceedings.

SEC. 2. *Be it further enacted*, That all vessels of war and merchant vessels shall be subject to the following rates of pilotage for the bar and harbor of Fernandina: For vessels of war, drawing under 16 feet, \$4 per foot; over 16 and under 18 feet, \$4 50 per foot; over 18 feet, \$5 per foot. For merchant vessels drawing 12 feet and under, \$2 50 per foot; over 12 and under 16 feet, \$3 per foot; over 16 feet, \$4 per foot.

Rates of Pilotage.

SEC. 3. *Be it further enacted*, That said Commissioners, or a majority of them, shall have power and authority at their discretion to permit any person to act as a pilot of the bar and harbor of Fernandina and the river St. Mary's, and shall make such enquiry respecting him and his qualifications as to the said Board of Commissioners, or a majority of them, shall appear necessary and expedient: *Provided, however*, before granting such license to any person, it shall be the duty of the Board to appoint three nautical men to examine such applicant as to his competency to work or manage vessels and his knowledge of the pilot grounds, currents, &c.; and no license shall be granted to any person unless he receive the certificate of such examining committee, or any two of them; but nothing in this act contained shall be so construed as to prevent the said Board from dispensing with such examination, by nautical men, of any person who now is or may hereafter be commissioned as a pilot for the said bar under and by virtue of the laws of the State of Georgia, but the said board may, in their discretion, issue a license to any such person without previous examination.

Power of Commissioners to license Pilots.

Pilot to be examined.

Examination may be dispensed with.

SEC. 4. *Be it further enacted*, That the said Commissioners of Pilotage shall give to any person appointed by them a certificate of his appointment, signed by a majority of them, or by their Chairman by their direction, and such pilot shall take and subscribe the following oath, which oath either of said Commissioners is hereby authorized to administer: "I — do solemnly swear (or affirm) that I will

Certificate to Pilot.

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Oath of.

well and faithfully, and according to the best of my skill and ability, execute and discharge the business and duty of a pilot for the bar and river of St. Marys and harbor of Fernandina; and that I will at all times, wind, weather and health permitting, use my best exertions to repair to and board all ships or vessels that I shall see or conceive to be bound for or coming into or going out of the harbor of Fernandina, unless I am well assured that some other licensed pilot is then on board the same; that I will from time to time and at all times make the best despatch in my power to convey safely every vessel committed to my care coming into or going out of the said harbor; and that I will at all times well and truly observe, follow and fulfil to the best of my skill and judgment all such orders and directions as I may or shall receive from the Commissioners of Pilotage relative to all things that may appertain to the duty of a pilot."

Bond to be  
given by Pilot.

SEC. 5. *Be it further enacted*, That before the said Commissioners of Pilotage shall deliver to any person a certificate of his appointment, they shall take from such person a bond with two good securities, to be approved by the Board, payable to the Chairman of said Board of Commissioners and to his successors in office, in the sum of one thousand dollars, conditioned for the faithful discharge of his duties as pilot, and such license shall be in force until the same is revoked in the manner hereinafter provided.

License to,  
when may be  
revoked, &c.

SEC. 6. *Be it further enacted*, That the said Commissioners of Pilotage, or a majority of them, shall have power and authority to revoke and take away the license of any pilot, and to declare the same null and void, whenever it shall appear to them that said pilot has wilfully infringed or violated this act or the orders or regulations of the Board of Commissioners, or that he has negligently or carelessly lost or injured any vessel under his care, or that he is laboring under mental derangement or who is so addicted to the use of ardent spirits as to be unfit to be entrusted with the charge of a vessel, or from any other cause becomes incompetent to discharge his duty.

License void if  
pilot conducts  
vessel in charge  
of civil officer.

SEC. 7. *Be it further enacted*, That if at any time any vessel in the river St. Marys or harbor of Fernandina shall be in charge of any civil officer, by virtue of any civil process issued from any Court in this State, and any pilot shall pilot or conduct said vessel across the bar while she is in charge of such civil officer, it shall be the duty of the said Commissioners to declare the license of said pilot so offending null and void, and he shall thereafter be disqualified from acting as pilot, and shall, moreover, be subject to indictment, and upon conviction shall be fined in such sum as the jury shall assess.

Indictment for.

Pilot to offer  
services to  
nearest vessel.

SEC. 8. *Be it further enacted*, That every pilot boat cruising or standing out to sea shall offer the services of a pilot to the vessel



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nearest the bar, (except when a more distant vessel is in distress,) under a penalty of fifty dollars, to be paid to said Commissioners.

SEC. 9. *Be it further enacted*, That a pilot who has brought a vessel into port shall have the exclusive right of taking her out, unless the master of such vessel shall prove to the satisfaction of the Commissioners, or a majority of them, that such pilot has misbehaved during the time he had charge of such vessel, or unless said pilot has been deprived of his license before the departure of said vessel—in either of which cases another pilot may be employed, who shall be entitled to receive the authorized pilotage; and every pilot having the right to take a vessel out as aforesaid shall have the right to attend in person or to procure another pilot out of the pilot-boat to which he is attached to attend for him on such outward bound vessel; but, if such pilot shall not attend in person nor substitute another pilot as aforesaid, after the master of said vessel shall give notice in the manner hereinafter required, the master of such vessel shall be at liberty to employ another pilot, who shall be entitled to the outward pilotage; and any person who shall carry a vessel out, not being entitled to do so, shall be held liable to the pilot who had the right in the amount of the pilotage due or paid by such vessel; and every pilot who has brought a vessel in shall be entitled to his fees of pilotage before her departure from port; and whenever a pilot is apprehensive that an outward bound vessel will not pay his pilotage, he shall have the right to demand his fees in advance, or such security for the payment thereof as may seem reasonable, and, on failure to give the same, may refuse to carry her out.

SEC. 10. *Be it further enacted*, That no person shall be authorized or permitted to conduct any vessel into or out of the harbor of Fernandina unless such person shall have a license as aforesaid; and any person not having such license, or having forfeited or been deprived of the same, who shall bring into or carry out of the harbor of Fernandina, or to any landing on the St. Marys river, in the State of Florida, any vessel, shall not only be entitled to no fee or reward for the same, but for every such offence shall forfeit and pay the sum of fifty dollars, to be recovered by the Commissioners of Pilotage before any Justice of the Peace: *Provided, however*, That nothing herein contained shall be so construed as to prevent any person from assisting any vessel in distress without a pilot on board, if such person shall deliver the charge of such vessel to the first pilot who shall come on board and offer to pilot the same, nor to prevent any person from piloting his own vessel.

SEC. 11. *Be it further enacted*, That whenever a vessel is in readiness to leave, the master thereof shall give notice to the pilot who conducted said vessel in, and when said notice cannot be given personally, it may be done by hoisting a jack to the foremasthead two hours previous to the time of the departure of such vessel; and

Pilot bringing vessel in entitled to take her out, except &c.

Substitute.

On failure to attend another may be employed.

Pilot not entitled taking out vessel, liable to rightful one.

Right to demand fees in advance, when.

No person authorized to act without license

Forfeiture for so doing.

Provido.

Master to give notice to pilot, and how.

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Fee to pilot for  
detention.

For carrying  
him off.

Compensation  
to Commis-  
sioners.

Pilots to be-  
long to appro-  
ved Pilot-boat

Provisions ex-  
tended to Ce-  
dar Key.

Commissioners  
for.

River Pilotage

Repeal.

whenever the master of a vessel shall detain a pilot on board of his vessel, the wind, weather and tide permitting her going to sea, such pilot shall be entitled to receive three dollars for every day he is so detained; and if any master of a vessel shall carry off a pilot, he shall pay such pilot two dollars a day for every day he is absent, and shall supply with such provisions and other necessaries as are usual for the maintenance of masters of vessels, and the master as well as the owners of said vessel shall be liable for the same.

SEC. 12. *Be it further enacted*, That for the examining, appointing and licensing every pilot, the said Board of Commissioners shall be paid the sum of ten dollars, as a compensation for their services, to be retained by the said Board for the payment of their expenses.

SEC. 13. *Be it further enacted*, That all pilots shall belong to some good and sufficient pilot-boat, to be approved by the said Commissioners, and in default thereof may be deprived of their licenses.

SEC. 14. *Be it further enacted*, That the provisions of this act shall be and the same are hereby extended to the port of Cedar Key, on the Gulf of Mexico, and that the Governor be and he is hereby authorized, by and with the consent of the General Assembly of the State of Florida, to appoint a like Board of Commissioners, who shall in all respects be governed by the same rules and regulations and shall have the same powers and authority as are herein prescribed for the Commissioners of Pilotage for the port of Fernandina.

SEC. 15. *Be it further enacted*, That the Commissioners of Pilotage for the port of Fernandina shall be and they are hereby authorized to allow such additional sum for river pilotage as in their judgment may seem reasonable: *Provided, however*, That no inner pilotage shall be allowed unless the said vessel shall ascend more than ten miles above the outer bar.

SEC. 16. *Be it further enacted*, That all laws and parts of laws conflicting with this act be and the same are hereby repealed.

[Passed the Senate, Dec. 8th, 1856. Passed the House of Representatives, Dec. 15th, 1856. Approved Dec. 22nd, 1856.]

## CHAPTER 790.—[No. 16.]

AN ACT to prevent Slaves from hiring their own time, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That it shall not be lawful for any master, or owner, or person having charge or control of any slave to permit such slave to hire his or her own time; and any master or owner, or person having charge or control of any slave, who shall permit such slave to hire his or her

Slave not to  
hire time.

Penalty for  
permitting.

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own time, shall be liable to indictment, and on conviction thereof, shall be fined in a sum not less than Ten Dollars, nor more than Fifty Dollars at the discretion of the Jury.

[Passed the Senate, December 11, 1856. Passed the House of Representatives, December 22, 1856. Approved December 27, 1856.]

## CHAPTER 791.—[Fo. 17.]

## AN ACT to benefit Commerce.

WHEREAS, It is for the benefit of Commerce that wharves be built and Warehouses erected for facilitating the landing and storage of goods; and whereas, the State being the proprietor of all submerged lands and water privileges, within its boundaries, which prevents the riparian owners from improving their water-lots: Therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the State of Florida for the considerations above mentioned, divest themselves of all right, title and interest to all lands covered by water, lying in front of any tract of land owned by a citizen of the United States, or by the United States, for public purposes, lying upon any navigable stream, or Bay of the Sea, or Harbor, as far as to the edge of the channel, and hereby vest the full title to the same in and unto the riparian proprietors, giving them the full right and privilege to build wharves into streams or waters of the Bay or Harbor as far as may be necessary to effect the purposes described, and to fill up from the shore, bank or beach, as far as may be desired, not obstructing the channel, but leaving full space for the requirements of Commerce, and upon lands so filled in, to erect warehouses or other buildings, and also the right to prevent encroachments of any other person, upon all such submerged land in the direction of their lines continued to the channel, by bill in chancery, or at law, and to have and maintain action of trespass in any Court of competent jurisdiction in the State, for any interference with such property, also confirming to the riparian proprietors all improvements which may have heretofore been made upon submerged lands, for the purposes within mentioned.

SEC. 2. *Be it further enacted,* That nothing in this act contained shall be so construed as to release the title of the State of Florida, or any of its grantees, to any of the swamp or overflowed lands within the limits of the same, but the grant herein contained shall be limited to those persons and body corporate owning lands actually bounded by, and extending to low water mark, on such navigable streams, Bays and Harbors.

[Passed the House of Representatives, December 26, 1856. Passed the Senate, December 27, 1856. Approved December 27, 1856.]

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## CHAPTER 792.—[No 18.]

AN ACT to provide for the maintenance, care, and custody of Lunatics or insane persons in this State.

Duty of Circ't Judge on suggestion of lunacy.

Inquiry therein.

Order on finding of lunacy.

Decree to bind estate of lunatic.

Sh'ff to transfer to asylum.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That from and after the passage of this act, whenever it shall be suggested by petition or otherwise, to any Judge of the Circuit Court of this State, that there is any lunatic or insane person within the limits of the Judicial Circuit of said Judge, incapable of managing his or her own affairs, or of taking care of himself or herself, it shall be the duty of said Judge to issue a writ to the sheriff of the County, wherein such lunatic or insane person is alleged to be, directing him to bring such person before him for the purpose of inquiring into the alleged fact of lunacy or insanity.

SEC. 2. *Be it further enacted,* That if it shall be found upon investigation that such person is a lunatic or insane, the Judge shall pass such order or decree as is usual or necessary in such cases.

SEC. 3. *Be it further enacted,* That if it shall appear that such lunatic or insane person has sufficient estate to support him or her, the decree made by the judge shall bind said estate.

SEC. 4. *Be it further enacted,* That it shall be competent for said Judge to order and direct the Sheriff to transfer such lunatic or insane person to some asylum in any other State, for the purpose of his care and custody.

SEC. 5. *Be it further enacted,* That if it shall appear that said lunatic or insane person is destitute, the money requisite for his or her support, maintenance, care and custody, shall be paid from the Treasury of this State, and upon the warrant of the Comptroller, and the decree of the Judge shall be, and is hereby made a sufficient voucher and authority to the Comptroller for the purpose.

[Passed the House of Representatives, December 6, 1856. Passed the Senate, December 23, 1856. Approved, December 27, 1856.]

## CHAPTER 793.—[No. 19.]

AN ACT providing for the payment to the several Counties of the interest arising from the School Fund not heretofore drawn.

To whom fund to be paid and how applied.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the instalments of the School Fund, which may have been due to, and not drawn from the Treasury by the several Counties of this



State, shall be paid over to the order of the Judge of Probate of each County respectively, to be paid by him to the order of the County Commissioners, and applied by them to the purposes of Education, in such manner as may to them seem proper.

[Passed the Senate, December 5, 1856. Passed the House of Representatives, December 12, 1856. Approved, December 27, 1856.]

### CHAPTER 794.—[No. 20.]

AN ACT to amend an act entitled an act to authorize Judges of Probate of the several Counties in this State to appoint Guardians for Free Negroes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That from and after the passage of this Act any Free Negro or Free Mulatto, over the age of twelve years, who shall fail to have a Guardian, as provided by the Act above cited, approved January 8th, 1848, shall be subject to a fine of not less than Ten Dollars, and it is hereby made the duty of the several Judges of Probate to see that this act is carried into effect, and the same judges of Probate shall have power, and they are hereby authorized, where said fine is not paid, or upon refusal to pay the same, to commit until paid, the same free negro or free mulatto, in the jail of the County, until paid, with all costs of the proceedings.

Penalty for failure of free negro to have guardian.

Duty of Judge of Probate.

[Passed the Senate, December 16, 1856. Passed the House of Representatives, December 19, 1856. Approved, December 23, 1856.]

### CHAPTER 795.—[No. 21.]

AN ACT to prevent trading with Free Persons of Color in this State.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That from and after the passage of this Act, it shall not be lawful for any person or persons, to buy of or sell to any Free Negro or Mulatto in this State, without the written consent of the Guardian of such Free Negro or Mulatto, and if any person or persons shall so buy of, or sell to such Free Negro or Mulatto, without such written consent of the Guardian or Guardians of said Free Negro or Mulatto, such person shall, upon conviction thereof, be fined in a sum not less than One Hundred nor more than Five Hundred Dollars, at the discretion of the Jury.

Trading without consent of guardian prohibited.

Penalty.

[Passed the Senate, December 12, 1856. Passed the House of Representatives, December 18, 1856. Approved, December 23, 1856.]

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## CHAPTER. 796.—[No. 22.]

AN ACT to locate the Seminary of Learning to be established West of the Suwannee.

Preamble.

WHEREAS by an act passed January 24th, 1851, the establishment of two Seminaries of Learning was authorized, one to be located East and the other West of the Suwannee river in this State, to be endowed respectively out of the grant of lands made by the Federal Government to this State for the purpose; and whereas by an act of the General Assembly of this State, approved January 6th, 1853, one of the said Seminaries of Learning was located East of the said Suwannee river at the town of Ocala in the County of Marion; and whereas the Seminary authorized by said act to be located West of the Suwannee river has not yet been located; and whereas the City of Tallahassee in the County of Leon has through the Mayor of said City, properly authorized by the Council of the City, offered to give to the Seminary located West of the Suwannee river, a new college edifice, and the lot upon which it stands and so much money as in addition thereto will make the sum of ten thousand dollars in cash, and offer an annual endowment of two thousand dollars per annum to be expended in the education of the youth of the said City in case the said Seminary be located in the said City; Therefore,

Seminary located at Tallahassee.

Conditions thereof.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the Seminary to be located West of the Suwannee River be, and the same is hereby located at the City of Tallahassee in the County of Leon on condition that proper and authorized conveyance of said Lot and College edifice thereon be made to the City of Tallahassee to the Board of Education hereinafter provided for, and their successor in office, and on further condition that the said City [by] its proper authorities, do guarantee to said Board of Education the payment of the sum of two thousand dollars per annum forever, to be expended in the education of the youth of said City, in such manner and on such terms as shall be agreed between the corporate authorities of said City and the Board of Education, and shall pay to the Board of Education as much money in cash as shall be found necessary after a valuation of the Lot and College edifice aforesaid, to complete the sum of ten thousand dollars: *Provided,* that the said lot and building shall be received towards said donation of ten thousand dollars at such price or valuation as shall be fixed and determined by three disinterested persons, one to be appointed by the corporate authorities of Tallahassee, one by the Board of Education of said Seminary, and one by the Governor of this State, who

Proviso.



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before appraising said property shall be sworn well and truly to perform the duty of Appraisers.

SEC. 2. *Be it further enacted*, That the property conveyed as required in the first section of this Act shall be used only for the Seminary located at Tallahassee, and shall revert to the donors whenever the Seminary shall be removed from Tallahassee.

Property given by City how used and when to revert.

SEC. 3 *Be it further enacted*, That the Governor of this State be, and he is hereby authorized and required to appoint a Board of Education as specified in the act of January 24, 1851, for the Seminary hereby located, and submit the same to the Senate for their concurrence, as soon as practicable after the passage of this act.

Governor to appoint Board of Education.

[Passed the House of Representatives, December 24, 1856. Passed the Senate, December 27, 1856. Approved, January 1, 1857.]

### CHAPTER 797.—[No. 23.]

AN ACT to regulate the Pilotage of St. Johns Bar and River.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That the entire control and jurisdiction over the Pilots of the Bar and River of St. Johns shall be and the same is hereby vested in five persons, to be styled "Commissioners of Pilotage for the River and Bar of St. Johns," who shall be appointed by the Governor, with the advice and consent of the General Assembly, and shall hold their offices for the period of four years, and until their successors are appointed and qualified, and who shall have the power to fill all vacancies occurring in their own body, and the persons so appointed shall serve for the unexpired term of the person in whose place he was appointed. The said Commissioners shall, before entering upon the duties of their office, take an oath or affirmation, before some judicial officer of this State, that they will faithfully discharge their duties as such Commissioners of Pilotage.

Control over Pilots in whom vested.

Commissioners to be appointed.

Term of office.

Vacancies.

Oath of.

SEC. 2. *Be it further enacted*, That said Commissioners, or a majority of them, shall have power, at their discretion, to appoint pilots both for the bar and river of St. Johns, and shall make such inquiry respecting the character of the applicant and his qualifications as to the said Board, or a majority of them, shall appear necessary and expedient: *Provided, however*, before granting such license to any person, it shall be the duty of the Board to appoint three nautical men to examine such applicant as to his competency to work and manage vessels and his knowledge of the pilot grounds, currents, &c., and no pilot shall be appointed unless he receive the certificate of such examining committee, or at least two of them.

Power to appoint pilots.

Qualifications of.

Examiners to be appointed.

SEC. 3. *Be it further enacted*, That the said Commissioners of

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Orders and regulations of Pilots.

Commissioners to give certificate of appointment.

Compensation therefor.

Oath of Pilot.

Bond of.

When license may be revoked.

No unlicensed person to take charge of vessel.

Forfeiture.

Pilotage shall have the power to prescribe to the pilots of said bar and river such orders and regulations not inconsistent with this act as to the said Commissioners, or a majority of them, may appear suitable and proper.

SEC. 4. *Be it further enacted*, That said Commissioners of Pilotage shall give to every person appointed by them a certificate of his appointment, signed by a majority of them, or by their Chairman by their direction, and every person so appointed shall pay to the said Commissioners the sum of ten dollars for his appointment, to be applied by the said Commissioners to defray the expenses attending the discharge of their duties; and before entering on the duties of his office, every person so appointed as pilot shall take an oath or affirmation that he will faithfully discharge his duties as such pilot to the best of his skill and ability, and will conform to and abide by all such rules and regulations as may be adopted by the Commissioners of Pilotage for his government, which oath either of the said Commissioners shall be a liberty to administer.

SEC. 5. *Be it further enacted*, That the person so appointed as pilot shall also enter into bond, with good and sufficient securities, to be approved by the said Commissioners, in the penalty of one thousand dollars, payable to the said Commissioners and conditioned for the faithful discharge of the duties of such pilot agreeably to this act and the orders and regulations of said Commissioners.

SEC. 6. *Be it further enacted*, That the said Commissioners of Pilotage, or a majority of them, shall have the power and authority to take away the license of any pilot, or to declare the same null and void whenever it shall appear to them that such pilot has wilfully infringed or violated this act or the orders and regulations of the said Commissioners, or has carelessly or negligently lost or injured any vessel under his charge, or is so addicted to habits of intemperance as to be unfit to be intrusted with the charge of a vessel, or, from any other cause, becomes incompetent to discharge his duties.

SEC. 7. *Be it further enacted*, That no person shall be authorized or permitted to conduct or pilot any vessel into or out of the St. Johns river unless such person shall have a license as aforesaid; and any person not having such license, or having forfeited or been deprived thereof as aforesaid, who shall bring into or carry out of the river St. Johns any vessel, shall not only be entitled to no fee or reward for the same, but for every such offence shall forfeit and pay the sum of one hundred dollars, to be sued for and recovered in the name of the Chairman of said Commissioners of Pilotage before any Court of competent jurisdiction, but this shall not apply to the master or any person on board of any vessel to whom no licensed pilot shall have been offered outside of the St. Johns bar.

SEC. 8. *Be it further enacted*. That it shall be the duty of the

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Duties and  
powers of  
Commissioners

said Commissioners of Pilotage to prescribe the mode and manner in which all outward bound vessels shall give signal of their readiness for a pilot, also to determine all questions between the master of any vessel and any pilot claiming pilot fees of said vessel; to exact from all outward bound vessels security for the payment of pilot fees when the pilot entitled to carry out said vessel shall so require; to prohibit, when in their opinion the interests of commerce shall require it, any combinations between pilots or the absenting himself of any pilot from the bar without their license for a longer period than ten days, and to adopt all such other rules and regulations for the conduct of the pilotage on the said bar as will best tend to promote the interest of commerce.

SEC. 9. *Be it further enacted*, That the said Commissioners shall have the right to regulate the rates of pilotage, both for the river and bar of St. Johns, from time to time as the interests of commerce may require. Rates of pilot age.

SEC. 10. *Be it further enacted*, That the said Commissioners shall have the power to appoint and at their pleasure to remove the officer mentioned in the second section of the act entitled "An Act to prevent the abduction and escape of slaves from the State," approved January 18th, 1855. Power to appoint fumigator.

SEC. 11. *Be it further enacted*, That all laws and parts of laws inconsistent with this act be and the same are hereby repealed. Repeal.

[Passed the House, December 18, 1856. Passed the Senate December 24, 1856. Approved January 1, 1857.]

## CHAPTER 798.—[No. 24.]

An ACT to fix the time of holding Courts in the Middle Circuit of Florida.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That hereafter the terms of the Circuit Courts for the Middle Circuit of Florida shall be held at the following times, viz: Spring Terms—In the county of Gadsden, on the first Monday in March; in the county of Liberty, on the second Monday in March; in the county of Leon, on the third Monday of March; in the county of Wakulla, on the fourth Monday of March; in the county of Jefferson on the first Monday of April; in the county of Madison, on the second Monday of April; in the county of Taylor, on the third Monday of April; in the county of Lafayette, on the fourth Monday of April; in the county of Hamilton, on the first Monday in May. Fall Terms—In the county of Gadsden, on the first Monday of October; in the county of Liberty, on the second Monday of October; in the county of Leon, on the third Monday of October; in the county of Wa- Spring Terms. Fall Terms.



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kulla, on the fourth Monday of October; in the county of Jefferson, on the first Monday of November; in the county of Madison, on the second Monday of November; in the county of Taylor, on the third Monday of November; in the county of Lafayette, on the 4th Monday of November; in the county of Hamilton, on the first Monday of December.

Repeal.

SEC. 2. *Be it further enacted*, That all former laws fixing the times of holding the Courts for the Middle Circuit of Florida be and the same are hereby repealed.

[Passed the House, December 23, 1856. Passed the Senate, December 24, 1856. Approved December 27, 1856.]

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CHAPTER 799.—[No. 25.]

AN ACT to amend an Act to incorporate the town of Milton, in Santa Rosa county, approved 23rd February, 1844.

Limits.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That all free white inhabitants of the age of twenty-one years and over residing within the following limits, that is to say, commencing at the Northwest corner of section 34 of township 2, North of range 28 West, running thence South along the section line dividing sections 33 and 34 of said township to its intersection with South boundary of said township; thence South along the section line dividing 3 and 4 and 9 and 10 of township 1 to Pond Creek down to its junction with Black Water river; thence a due East course, crossing Black Water river, to a point 5 chains East on a line from the left bank of said river; thence, following the meandering of said river, by courses parallel to and at a distance of (5) five chains from said left bank, northerly to an intersection of the township line dividing townships (1) one and (2) two of range 28, North and West; thence West along said line to an intersection with the section line dividing sections 34 and 35 of township (2) two North, range 28 West; thence North along said line to the Northeast corner of section 34; thence West along the North boundary of section 34 to point of beginning, in the county of Santa Rosa, State of Florida, and their successors, be and they shall forever remain, from the passage of this act, body corporate by the name and style of the town of Milton, and by that name may sue and be sued, plead and be impleaded, may have and use a common seal and do all other acts as natural persons, and purchase and hold real, personal and mixed property and dispose of the same for the benefit of said corporation.

Body corporate.

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SEC. 2. *Be it further enacted*, That the government of said town shall be vested in a Mayor and six Aldermen, to be called the "Town Council," who shall be qualified voters of said town, and shall hold their respective offices for twelve months from their election, and until their successors are elected and qualified.

Government of  
in whom vested.  
Terms of office

SEC. 3. *Be it further enacted*, That all free white male citizens of the United States, who shall have resided in the State of Florida for twelve months, in the county of Santa Rosa six months and within the limits of said town three months before any election, shall be entitled to vote, and all voting shall be done by ballot.

Who entitled  
to vote.

SEC. 4. *Be it further enacted*, That it shall be the duty of the Judge of Probate for the county of Santa Rosa, immediately after the passage of this act, to appoint some early day for an election for Mayor and Aldermen for said town, and to appoint three inspectors and give, by advertisement, ten days notice of the same.

Duty of Judge  
of Santa Rosa.

SEC. 5. *Be it further enacted*, That the said Town Council shall have power to elect a Marshal for said term, and a Clerk, who shall also be Treasurer, which officers shall receive such compensation as the town Council shall allow, and shall be required to give bond, with security, for the faithful performance of duty respectively enjoined upon them, in such sum as the Town Council may prescribe.

Marshal and  
Clerk, how elected.

Bond of.

SEC. 6. *Be it further enacted*, That said Town Council shall have power to pass all ordinances necessary for the proper government of said town and all by-laws requisite for the government of said Town Council, and to enforce their ordinances and decrees by fines and penalties. They shall have power to abate and remove nuisances; to impose a tax upon retailers of spirituous liquors, taverns, theatrical and other public amusements, dental surgeons, daguerrians, and upon all slaves, horses, mules or stock of any kind brought within the limits of the corporation of said town and exposed for sale, and upon all and every partner of any foreign commission house, factor or broker or private banker; to regulate burial grounds, sink wells, erect and repair pumps in the streets or public squares; to erect and repair market-houses and public scales; to regulate the quarantine and mooring of vessels and provide for the preservation of the health of the people of said town; to appoint patrols and regulate the storing of gunpowder; to establish schools and build school-houses; to organize fire companies, purchase fire engines and build engine houses; to repair and keep in good order the streets and public roads in said town; to impose and appropriate fines and penalties for breaches of the ordinances of the Town Council. The Mayor and two-thirds of the Town Council shall have power to borrow money, contract debts, to buy and to sell in the name and in behalf of the said corporation; to judge of the qualifications of the members of the Board, and may expel a member, by a two-third vote, for disorderly behaviour or malconduct in office; may compel the atten-

Powers of  
Town Council.



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dance of members when the public weal may require it, and the yeas and nays upon any question shall, at the request of any two members, be placed on record.

Ordinances,  
how signed.

To be publish-  
ed.

Record of pro-  
ceedings.

Town officers  
to be annually  
elected, and  
when.

Duties, salary  
of, &c.

Meetings of  
Council.

Mayor pro tem

Duties and  
powers of  
Mayor.

Salary of.

Term of office  
of first Council

SEC. 7. *Be it further enacted*, That all ordinances and rules passed by the said Town Council under the powers herein granted, shall be signed by the Mayor and attested by the Clerk, and published without unnecessary delay by inserting the same in some public newspaper printed within the same town, or posting at the post office in the same, at least for the space of two weeks; and no ordinance shall be considered in force until such publication. They shall cause to be kept a regular record of their proceedings, which shall be open for public inspection, and upon which the yeas and nays on all questions shall be recorded at the request of any two members.

SEC. 8. *Be it further enacted*, That annually at the first meeting of said Town Council, or so soon thereafter as may be deemed proper, they shall elect a Town Clerk, Treasurer, Marshal and such other town officers as may be deemed necessary to give effect to the powers and regulations of and facilitate the discharge of their duties required by this act. The said Town Council shall prescribe their duties, fix their salaries and fees, and may the same dismiss at pleasure.

SEC. 9. *Be it further enacted*, That it shall be the duty of the said Town Council to hold their meetings in public, (except when in their opinion the public good may otherwise require,) at stated periods and at such places as may be designated for that purpose. The Mayor shall be the President of the Council, and in his absence from the city or disability, a majority of the Council may appoint from among their own body a Mayor, who shall have power *pro tempore* to do all the duties, prescribed by this act, of the Mayor, and shall have the same compensation that the Mayor would have had for the same service.

SEC. 10. *Be it further enacted*, That the Mayor shall preside at the meetings of the Town Council, which he may convene as often as, in his opinion, the public good may require. He shall see to the due enforcement of all ordinances of the Town Council, and for these purposes he is hereby authorized to call out the *posse comitatus*, within the said corporation, to aid the Marshal in the execution of his duties; and the said Mayor shall be entitled to receive such salary as the Town Council may direct, and such fees as they may prescribe, the salary to be paid out of the Treasury, by the Treasurer of the corporation, quarterly.

SEC. 11. *Be it further enacted*, That the first Town Council elected under the provisions of this act, shall hold their office until the first Monday in January, next following such election, and until their successors are elected and duly qualified, and on the first Monday of

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January in each and every year thereafter, an election shall be held in said corporation for a Mayor and Aldermen under the inspection of persons appointed for that purpose by the Town Council of said Town.

Elections for Mayor and Aldermen.

SEC. 12. *Be it further enacted*, That ten days previous to the annual election, the mayor shall cause a notice to be posted on the Post-office door, and two other public places in said Town, or published in a Newspaper printed in said Corporation, that an Election will be held on the day, and at the place, named in said notice, for Mayor and Aldermen for the ensuing year.

Notice of election.

SEC. 13. *Be it further enacted*, That within five days after the election, the Mayor elect shall take an oath or affirmation before any Judge or Justice of the Peace, or other officer of the State, authorized by law to administer oaths, that he will to the best of his power, support, advance and defend the interest, peace and good order of the said town, in addition to the oath required by the Constitution of the State of Florida of all officers civil and military of the State. And he shall within the aforesaid five days after the election convene the Town Council elect, and administer to each of the an oath or affirmation similar to that taken by himself.

Oath of Mayor and Aldermen

SEC. 14. *Be it further enacted*, That if by reason of the refusal, absence, or other unavoidable casualty, the Mayor elect shall be prevented from performing the organizing duties by this act required, or, by failure of election from any cause, it shall, in such case be the duty of the Mayor in office to cause a new election to be held by the same Inspectors, and forthwith cause to be given at least one week's notice of the same, and hold another election for Mayor conformable to the regulations of this act.

On refusal, &c. of Mayor to act, new election to be ordered.

SEC. 15. *Be it further enacted*, That vacancies in the Town Council shall be filled by a new election, to be ordered by the Council after two weeks notice, and in the absence of the Mayor the Aldermen may elect any of their number to fill his place.

Vacancies, how filled.

SEC. 16. *Be it further enacted*, That the Inspectors appointed to hold elections under the provisions of this Act, shall take an oath faithfully to discharge the duty enjoined upon them, and the hours of opening and closing the polls shall be that required by the laws of the State for holding elections, and the inspectors shall make their returns, conducting the same under a similar form as is required by law for conducting Elections in the State generally, to the Mayor of the Town, and which shall be recorded on the minutes of the proceedings of the Town Council by the Clerk.

Oath of inspectors.

Polls.

Returns.

SEC. 17. *Be it further enacted*, That the Town Council, with the consent of a majority of the corporation comprising said Town, be, and are hereby authorized to subscribe in the name of said Town, any amount of money which they may deem necessary, to any plank road or rail road leading from the Town of Milton; and for the pur-

Town Council may subscribe for stock in Railroad, &c.

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May levy tax therefor.

pose of [paying] possessing the amount of subscription, the said Town Council shall have power to borrow the same, and shall have power to impose a tax on real estate in said Town, at the rate not exceeding (2) two per centum on the Assessors' value of such property, and that the payment of taxes so imposed may be enforced in the same manner as in other cases. And in order the better to secure and enforce the payment of the tax in this section mentioned, the General Assembly of this State shall have full power and authority to pass all Laws that may be necessary or proper therefor, but nothing is to be hereby construed or considered as taking away any right, vested by this Act in the said Town, for levying and collecting the tax contemplated by this Section.

Repeal.

SEC. 18. *Be it further enacted*, That all acts and parts of acts conflicting with the provisions of this act, be, and the same are hereby repealed.

[Passed the Senate December 18, 1856. Passed the House of Representatives, December 19, 1856. Approved, December 27, 1856.]

## CHAPTER 800.—[No. 26.]

AN ACT to prevent unnecessary Cost in Suits at Law in this State.

Writs to be consolidated.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That where there are more persons than one bound on any bond, promissory note or other contract, whether they be bound as original obligators, contractors, securities and endorsers, and the plaintiff shall institute more suits than one upon such bond, note or contract, the writs, on their return to the Court whence they issued, shall be consolidated in cases where consolidation is practicable and in accordance with the principles of law, and subject always to the discretion of the Court, and only the cost of one suit shall be taxed in the bill of cost.

Repeal.

SEC. 2. *Be it further enacted*, That all laws and parts of laws conflicting with the provisions of this act be and the same are hereby repealed.

[Passed the House, December 19, 1856. Passed the Senate, December 24, 1856. Approved, January 2, 1857.]

## CHAPTER 801.—[No. 27.]

AN ACT to facilitate the construction of the St. Johns and Indian River Canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That



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Commissioners  
to be appoint'dSecretary and  
Treasurer, &c.Bond of  
CommissionersAdditional se-  
curity from  
Treasurer.

How may sue

May sell land  
how.

Common seal.

Compensation.

Plan and route  
of Canal.

Contracts for.

Proviso.

Authorized to  
receive money  
from Trustees  
of In. Im. Fund

the Governor of the State be, and he is hereby required, by and with the advice and consent of the General Assembly of the State of Florida, to appoint five discreet and proper persons, to hold their office for the period of four years, and to act as commissioners of the St. Johns and Indian River Canal.

SEC. 2. *Be it further enacted*, That the said Commissioners shall be, and are hereby authorized to elect one of their own number as chairman, and a second as secretary and treasury and shall certify the names of the persons so elected, to the Governor of the State of Florida, and the said Commissioners shall severally, before entering upon the duties of their office, execute to the Governor of the State and his successors in office, a bond with good and sufficient sureties to be approved by the Governor, in the penal sum of five thousand dollars, each, conditioned for the faithful discharge of their duties as such commissioners, and the Governor shall have power from time to time to require such further and additional security from the Treasurer of said Board as he may deem necessary and proper.

SEC. 3. *Be it further enacted*, That the said Board of Canal Commissioners be, and they are hereby authorized in the name of their Treasurer to sue for all sums of money that may become due them, and shall also, by deed in writing, duly signed by their Chairman, attested by their Treasurer, be authorized and empowered to sell and convey any lands of which they may become seized and possessed, and shall be further authorized to attest the validity of all their proceedings by the use of a common seal to be adopted and chosen by themselves.

SEC. 4. *Be it further enacted*, That the said Commissioners shall be entitled to a compensation, to be fixed by the Trustees of the Internal Improvement Fund.

SEC. 5. *Be it further enacted*, That the said Commissioners shall be, and they are hereby authorized to adopt a plan for the construction of a Canal connecting the waters of Indian River with the St. Johns River, to select the route of said Canal, to make any and all contracts necessary for the construction of the same, to superintend and enforce the due execution and performance of said contracts: Provided always that adequate security shall in all cases be required by the said Commissioners for the performance of all contracts made by them, and the entire cost of said Canal shall not exceed three hundred thousand dollars.

SEC. 6. *Be it further enacted*, That the said Commissioners be, and they are hereby authorized to receive from the Trustees of the Internal Improvement fund the whole amount of money appropriated by the 17th section of the act to provide for and encourage a liberal system of Internal Improvements, approved January 6th, 1855, so soon as the said Trustees shall be of opinion that the said



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Opinion of  
Gen. Ass'mbly

To receive and  
dispose of land  
from Trustees  
of In. Im. Fund

Proviso.

Commissioners  
may issue  
bonds.

Trustees re-  
quested to al-  
low Commis-  
sioners to en-  
ter upon land.

Payment  
therefor.

In. Imp. Fund  
pledged for  
bonds.

Tolls to be  
fixed.

sum in money can be applied to this purpose without impairing the efficiency of the said fund for Railroad purposes, and it is hereby declared to be the deliberate opinion of this General Assembly, that the construction of the said Canal will greatly enhance instead of impairing the efficiency of the said fund for railroad purposes.

SEC. 7. *Be it further enacted*, That the said Commissioners be, and they are hereby authorized to receive from the Trustees of the said Internal Improvement fund the land mentioned in the 17th section of the act above named, and the same to dispose of in any mode and manner that to them may seem the most advantageous, provided always, that no title shall be made to any of the said lands until the whole consideration stipulated therefor shall be fully paid.

SEC. 8. *Be it further enacted*, That the said Canal Commissioners shall, if they deem it advisable and necessary so to do, be at liberty to issue any amount of bonds, not exceeding three hundred thousand dollars, having not more than thirty years to run, and bearing not more than 8 per cent. interest, payable semi-annually, which said bonds the said commissioners shall be at liberty to pay out for work on the said Canal, or to sell for cash, at a not lower rate than Ninety Cents on the dollar, and apply the proceeds of the same to the construction of the said Canal.

SEC. 9. *Be it further enacted*, That the Trustees of the Internal Improvement Fund be, and they are hereby authorized and requested, if in their opinion the same is not inconsistent with the faithful discharge of the trust imposed upon them by the act hereinbefore referred to, to appraise all swamp, overflowed and Internal Improvement land, lying South of Township 18, and East of range 28, at their present value, and to allow the said Canal Commissioners at any time within five years from the date to enter upon the said lands and sell and convey the same, upon the said Commissioners paying for the same at their present appraised value, or in some other mode and manner, to allow to the said Commissioners the enhancement of value of such lands as may be reclaimed or otherwise improved by the construction of said Canal.

SEC. 10. *Be it further enacted*, That so much of the Internal Improvement fund of the State of Florida as is necessary for that purpose is hereby pledged to the redemption, both of the principal and interest of all the bonds which may be issued by the Canal Commissioners, so soon as the same can be applied to that purpose, in accordance with the provisions of the 27th section of the act hereinbefore alluded to, and the said bonds shall have a lien upon the said fund to the extent sufficient to redeem the same.

SEC. 11. *Be it further enacted*, That the said Canal Commissioners shall have power to fix a rate of tolls, to be charged upon the said Canal, if in their opinion, they shall deem it desirable to do so, but no tolls whatever shall be charged upon the said Canal other

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Limitation.

than a sufficient sum to pay the expenses of such persons as may be found necessary permanently to attend the locks upon said Canal, after the entire expense of the construction of said Canal shall have been fully paid.

SEC. 12. *Be it further enacted*, That nothing in this act shall be so construed as to assert any power or authority on the part of the General Assembly of this State to destroy, or in any manner interfere with the vested rights enacted by the act hereinbefore referred to, entitled "an act to provide for and encourage a liberal system of Internal Improvement."

Act not to impair vested rights.

[Passed the House of Representatives, Dec. 24th, 1856. Passed the Senate, Dec. 26th, 1856. Approved Jan. 1, 1857.]

### CHAPTER 802.—[No. 28.]

AN ACT to authorize the Register to sell (16th) sections in certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That the Register of Lands in this State be and is hereby authorized to sell and convey, unto such persons who have or may hereafter cultivate and improve any part of the sixteenth sections, the parts or parcels so improved, at the appraised value of said parts or parcels, before offering the same at public sale.

When Register may sell, and to whom.

SEC. 2. *Be it further enacted*, That all laws and parts of laws conflicting with the above be and the same are hereby repealed.

Repeal.

[Passed the House, December 15, 1856. Passed the Senate, December 18, 1856. Approved December 22, 1856.]

### CHAPTER 803.—[No. 29.]

AN ACT in relation to Pilotage at the port of Key West, in the county of Monroe.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That from and after the passage of this act the Governor shall, by and with the consent of the General Assembly of the State of Florida, be and he is hereby authorized to appoint five discreet and proper persons to act as Commissioners of Pilotage for the port of Key West, three of whom, the Chairman being one, shall be a competent Board for the transaction of business. The Commissioners so appointed shall hold their offices for the period of four years; but, in case of any vacancy by death, resignation or otherwise of any Com-

Commissioners to be appointed.

Term of office.

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Vacancies.

Oath.

Power to make  
rules and reg-  
ulations.Chairman, du-  
ties of.Rates of Pilot-  
age.Who may act  
as pilot.Qualifications  
of.Examiners to  
be appointed.Certificate to  
Pilot.

Oath of.

missioner of Pilotage so appointed, the Board shall be and they are hereby authorized to fill such vacancy or vacancies by the appointment of a fit and proper person or persons, who shall forthwith enter upon the duties of Commissioner of Pilotage for the unexpired term of the then acting Board. The said Commissioners of Pilotage, before entering upon the duties of their office, shall severally make oath in writing before the Judge of Probate to discharge their duties as Commissioners of Pilotage diligently and faithfully to the best of their skill and ability. The said Commissioners of Pilotage shall have power to make all such by-laws and regulations as may be necessary for the performance of their own duties and the government of the pilots, and shall from time to time appoint one of their own members to act as Chairman of the said Board, whose duty it shall be to preside over all meetings of the Board and to keep a record of their proceedings, which record shall be transferred to their successors in office, and to see that the by-laws and regulations of said Board, not conflicting with the laws of the United States or of this State, are carried into effect.

SEC. 2. *Be it further enacted*, That all vessels of war and merchant vessels shall be subject to the following rates of pilotage for the bar and harbor of Key West, viz: For vessels of war, drawing under 12 to 16 feet, four dollars per foot; over 16 to 18 feet, four dollars and fifty cents per foot; over 18 feet, five dollars per foot. For merchant vessels, drawing 12 feet and under, two dollars and fifty cents per foot; over 12 feet to 16, three dollars and fifty cents per foot; over 16 feet, four dollars per foot.

SEC. 3. *Be it further enacted*, That said Commissioners, or a majority of them, shall have power and authority to permit any person to act as pilot for the bar and harbor of Key West, and shall make such enquiry respecting him and his qualifications as to the said Board of Commissioners, or a majority thereof, shall appear necessary and expedient: *Provided, however*, before granting such license to any person, it shall be the duty of the Board to appoint three nautical men to examine such applicant as to his competency to work and manage vessels, and of his knowledge of the pilot grounds, currents, &c.; and no license shall be granted to any person unless he receive the certificate of any examining committee, or any two of them.

SEC. 4. *Be it further enacted*, That said Commissioners of Pilotage shall give to every person appointed by them a certificate of his appointment, signed by a majority of them, or by their Chairman by their direction; and such pilot shall take and subscribe the following oath, which oath either of said Commissioners is hereby authorized to administer, to wit: I, A B, do solemnly swear or (affirm) that I will well and faithfully, to the best of my skill and judgment, execute and discharge the business and duty of a pilot for the bar



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and harbor of Key West, and that I will at all times, wind, weather and health permitting, use my best exertions to and board all ships and vessels that I shall see and conceive to be bound for or coming into or going out of the harbor of Key West, unless I am well assured that some other licensed pilot is then on board the same; that I will from time to time and all times make the best despatch in my power to convey safely every vessel committed to my care, coming into or going out of the harbor of Key West, and that I will at all times well and truly observe, follow and fulfil to the best of my skill and judgment all such orders and directions as I may or shall receive from the Commissioners of Pilotage relative to all things that may appertain to the duty of a pilot.

SEC. 5. *Be it further enacted*, That before the said Commissioners of Pilotage shall deliver to any person a certificate of his appointment, they shall take from such person a bond, payable to the Chairman of the said Board of Commissioners, and to his successors in office, in the sum of one thousand dollars, which bond he, together with two good and sufficient securities, to be approved by a majority of said Commissioners, shall give for the faithful discharge of his duties agreeable to this act; and said license shall be in force until their successors are appointed, or until he is deprived of his license, in the manner herein provided for.

Bond to be  
given by Pilot.

How long li-  
cense in force.

SEC. 6. *Be it further enacted*, That the Commissioners of Pilotage, or a majority of them, shall have power and authority to take away the license of any pilot, and to declare his license null and void, whenever it shall appear to them that such pilot has wilfully infringed or violated this act, or the orders or regulations of the said Commissioners, or that he hath negligently or carelessly lost or injured any vessel under his care, or that he is laboring under mental derangement, or is so addicted to the habit of intoxication as to be unfit to be entrusted with the charge of a vessel, or becomes incompetent to discharge the duty.

License to,  
when may be  
revoked, &c.

SEC. 7. *Be it further enacted*, That if any pilot shall discontinue to act for three months, or absent himself for ten days at any one time from the bar or harbor of Key West without the leave of said Commissioners, or a majority of them, he may be deprived of his license; and if at any time any vessel in the harbor of Key West shall be in charge of any civil officer, by virtue of any civil process issued from any Court of Record in this State, and any pilot shall pilot or conduct such vessel out of the harbor of Key West while she is in charge of such civil officer, said Commissioners, or a majority of them, shall declare the license of such pilot so offending null and void, and he shall thereafter be disqualified for acting as a pilot, and shall, moreover, be subject to indictment, and, upon conviction, shall be fined such sum as the jury shall assess.

License may  
be declared  
void for ab-  
sence, &c.

License void if  
pilot conducts  
vessel in charge  
of civil officer.

Indictment for.

SEC. 8. *Be it further enacted*, That every pilot-boat cruising or



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Pilot to offer  
services to  
nearest vessel.

Penalty for re-  
fusai.

Pilot bringing  
vessel in enti-  
tled to take  
her out, except  
&c.

On failure to  
attend another  
vessel may be em-  
ployed.

Fees of.

No person au-  
thorized to act  
without license

Forfeiture for  
so doing.

standing out to sea, shall offer the service of a pilot to the vessel nearest the bar, (except when he sees a more distant vessel in distress,) under a penalty of fifty dollars for every neglect or refusal either of approaching the nearest vessel, and of aiding her if required, or aiding any vessel showing signal of distress, in the case above mentioned; and the said Commissioners of Pilotage, or a majority of them, may, at their discretion, deprive the pilot (neglecting or refusing) as aforesaid of his license.

SEC. 9. *Be it further enacted*, That the pilot who has brought a vessel into port, shall have the exclusive right of taking her out, unless the master of such vessel shall prove to the satisfaction of the Commissioners, or a majority of them, that such pilot has misbehaved during the time he had charge of such vessel, or unless said pilot has been deprived of his license before the departure of such vessel, in either of which cases another pilot may be employed, who shall be entitled to receive the outward pilotage; and every pilot having a right or becoming entitled to take a vessel out as aforesaid, shall have the right to attend in person or procure another pilot out of the pilot-boat to which he is attached to attend for him on such outward bound vessel; but if such person shall neither attend in person nor substitute another pilot as aforesaid, after the master of such vessel shall give notice in the manner hereinafter required, the master of such vessel shall be at liberty, at the expiration of such time above stated, to employ another pilot, who shall be bound (if not previously engaged) to take such vessel out, and said pilot shall be entitled to such outward pilotage; and any person who shall carry out a vessel, not being entitled to do so, shall be held liable to the pilot who had the right in the amount of pilotage due or paid for carrying her out; and any pilot who has brought a vessel in shall be entitled to his fees of pilotage before her departure from port; and whenever a pilot having a right to carry a vessel out is apprehensive that the master of such vessel will not pay his pilotage, he shall have a right to demand his fees in advance, or security for the payment thereof as shall be reasonable, and on failure thereof, to refuse to carry her out.

SEC. 10. *Be it further enacted*, That no person shall be authorized or permitted to conduct or pilot any vessel into or out of the harbor of Key West, unless such person shall have a license as aforesaid; and any person not having a license, or having forfeited or been deprived thereof as aforesaid, who shall bring into or carry out of the harbor of Key West, or over any of the bars thereof, any vessel, shall not only be entitled to no fee or reward for the same, but for every such offence shall forfeit and pay the sum of fifty dollars, to be enforced by any Justice of the Peace: (*Provided, however,*) the foregoing prohibition shall not be construed to prevent any person from assisting any vessel in distress without a pilot on board, if

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such person shall deliver up such vessel to the first pilot who shall afterwards come on board and offer to conduct or pilot such vessel.

SEC. 11. *Be it further enacted*, That whenever a vessel is in readiness to leave, the master thereof shall give notice to the pilot who conducted said vessel in, and when such notice cannot be given personally, it shall be given in the following manner: All vessels lying in said harbor shall hoist a "Jack" at the foremast head two hours previous to her leaving; and if the master of a vessel shall detain a pilot on board of his vessel, the wind and weather permitting her going to sea, such pilot shall be entitled to receive three dollars a day for every day he is so detained; and if any master of a vessel shall carry off a pilot from the harbor of Key West, he shall pay such pilot two dollars for every day he is so absent, and shall supply him with such provisions and other necessities as are usual for the maintenance of masters of vessels, and the master as well as the owners of such vessel shall be liable for the same: *Provided, however*, That if such vessel had have "laid to" for the space of two hours after crossing the bar and no pilot-boat shall appear to receive such pilot on board, the pilot shall not be entitled to receive the aforesaid sum of two dollars per day.

Master to give notice to pilot, and how.

Fee to pilot for detention.

For carrying him off.

Proviso.

SEC. 12. *Be it further enacted*, That for the examining, licensing and appointing every pilot, the said Board of Commissioners shall be paid the sum of Ten Dollars, as a compensation for their services, to be retained by the Board for the payment of their expenses. No Keeper of a Light house or a Light Ship, shall be appointed Pilot for the Port of Key West. All fines and forfeitures accruing under this act shall be paid into the County Treasury for County purposes.

Compensation to Commissioners.

Light keeper ineligible. Fines to whom paid.

SEC. 13. *Be it further enacted*, That all pilots shall belong to some good and sufficient boat, to be approved of by said Commissioners of Pilotage, or a majority of them, and any pilot who shall not belong to some such pilot-boat, shall not have privileges of a Branch-pilot for the harbor of Key West, but shall be subject to the pains and penalties enacted by Section 10 of this act, if he bring into or carry out of the harbor any vessel whatever.

Pilots to belong to approved Pilot-boat

SEC. 14. *Be it further enacted*, That all laws and parts of laws in relation to pilotage at the Port of Key West, in force before the passage of this act, be and the same are hereby repealed.

Repeal.

[Passed the Senate, Dec. 6th, 1856. Passed the House of Representatives, Dec. 11th, 1856. Approved Dec. 23rd, 1856.]

#### CHAPTER 804.—[No. 30.]

AN ACT authorizing the County Commissioners of Escambia county to subscribe for stock in the Alabama and Florida Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representa-*

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Commissioners  
to subscribe  
for stock.

Question to be  
submitted to  
voters of  
County.

Limit of sub-  
scription.

Commissioners  
may issue  
bonds.

May collect  
tax.

Rate of inter-  
est.

Receipt to en-  
title tax payer  
to stock.

Stock unas-  
signable.

*tives of the State of Florida in General Assembly convened, That the County Commissioners of Escambia county be and they are hereby authorized to subscribe for and hold stock in the Alabama and Florida Railroad, incorporated by the act of the Legislature of the State of Florida, approved by the Governor January 8th, 1853, upon the same terms and conditions and subject to the same restrictions as other stockholders: Provided, it shall first be submitted to the votes of the legal voters of said county, to be held and taken at such times and places and in such a manner as said Commissioners may appoint, whether or not in favor of such subscription; it shall thereupon be lawful for the Board of County Commissioners, by agents by them appointed, to subscribe and take in said company such amount of stock as they shall determine: Provided, That the amount of subscription by the county shall not exceed twenty five per cent. of the cost of constructing the said railroad through said county.*

SEC. 2. *Be it further enacted, That said County Commissioners shall have power to issue bonds of said county, payable with interest at such times and places as they may deem proper, and dispose of the same for the payment of such subscription, pledging the faith and resources of said county for the payment of such bonds and interest; and they shall from time to time levy and collect such a tax as shall be necessary to pay the instalments of interest and the bonds as the same become due, or create a sinking fund for the gradual reduction of the same: Provided, That the rate of interest shall not exceed ten per centum per annum; or funds may be raised by such Board of County Commissioners in such sums or instalments as will meet such subscription, and the receipt for the payment of such tax shall entitle the payer thereof, for every one hundred dollars so paid, to have one share or more, as the case may be, of the stock so subscribed by said County Commissioners in said company, and which receipt shall be assignable. No stock held by said county shall be assignable by said county until the bonds issued for the purpose of procuring funds for the payment of said county subscription shall be paid, except in exchange for such bonds.*

[Passed the Senate, December 8, 1856. Passed the House, December 15, 1856. Approved Dec. 24, 1856.]

## CHAPTER 805.—[No. 31.]

AN ACT to incorporate the Perdido Railroad Company.

Commissioners SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened, That William H. Chase, Edward Broughton, Jasper Strong, William Mil-*



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nor, H. F. Ingraham, O. M. Avery, R. L. Campbell, Wm. J. Keyser and Francisco Moreno be and they are hereby appointed Commissioners to open books and receive subscription for stock in a railroad to be constructed from some point on the Alabama and Florida Railroad of Florida to the line dividing the States of Alabama and Florida, which runs through the mid channel of the river Perdido.

SEC. 2. *Be it further enacted*, That any three of the above named Commissioners may open the said books in the city of Pensacola, or in any other place, and keep them open until the whole capital stock is subscribed, and they shall give public notice of times and places of opening said books for at least twenty days.

SEC. 3. *Be it further enacted*, That the capital stock of said company may be five hundred thousand dollars, with the privilege of increasing it to eight hundred thousand dollars, should an increase be found necessary for its construction or future enlargement.

SEC. 4. *Be it further enacted*, That the said railroad shall extend from some point on the Alabama and Florida Railroad of Florida to some point on the boundary line between the States of Florida and Alabama, in the mid channel of the Perdido river.

SEC. 5. *Be it further enacted*, That as soon as fifty thousand dollars shall have been subscribed to the capital stock of said company, the subscribers to said stock, their successors and assigns, shall be and they are hereby declared to be incorporated into a company by the name of the Perdido Railroad Company, and by that name shall be capable in law of holding, leasing, selling and conveying real, personal and mixed property, so far as may be necessary to aid in the construction and maintenance of said railroad, and by said incorporated name may sue and be sued, plead and be impleaded, answer and be answered in any Court of Law or Equity in the State of Florida or elsewhere, and to have and use a common seal, and the same to alter or amend at pleasure—to pass such by-laws, rules, ordinances for the good government of said corporation as to them may seem proper, and generally to do all things necessary to carry into effect fully and completely the object of this act.

SEC. 6. *Be it further enacted*, That as soon as fifty thousand dollars shall have been subscribed, the Commissioners hereby appointed shall call a meeting of Stockholders, at such time and place as may be convenient, and at such meeting the said Stockholders, or a majority of them in value, shall elect nine Directors, by ballot, to manage the affairs of said company, and the Commissioners aforesaid, or any three or more of them, shall be judges of said first election of Directors, and the Directory thus chosen shall elect one of its members a President of said Company. On all occasions whenever a vote of Stockholders shall be taken, each Stockholder shall be allowed one vote for every share owned by him or her, and a vote by proxy is hereby authorized.

Books to be opened.

Capital stock.

Termini of road.

Body corporate.

Name.

May sue, &amp;c.

By laws.

Meeting of stockholders.

Directors, how elected.

President.

Manner of voting.



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President and Directors to be chosen annually.

Vacancy.

Tenure of office.

Directors may appoint officers, &c.

Power to pass by-laws.

May borrow money.

May demand instalments of stock.

Forfeiture for non-payment.

May receive conveyances of land, &c.

Damages, how assessed when no agreement with owner.

SEC. 7. *Be it further enacted*, That the President and Directors of said company shall be chosen annually by the Stockholders; and if any vacancy shall occur, by death, resignation or otherwise, of any President or Director, before the year for which they were elected shall have expired, such vacancy shall be filled by the President and Directors, or a majority of them, and the President and Directors shall hold their office until their successors are chosen and qualified. They shall have power to call meetings of Stockholders at any time.

SEC. 8. *Be it further enacted*, That the said President and Directors, or a majority of them, may appoint all such officers, engineers, agents or servants whatsoever, as they may deem necessary to carry on the business of said company, dismiss them at pleasure, and a majority of the Directors shall determine the compensation of all officers, engineers or servants of said company. They shall have power to pass all by-laws which they may deem necessary and proper for exercising all the powers vested in this company for carrying into effect the objects of this act: *Provided, only*, That such by-laws shall not be contrary to the laws of the United States; and said President and Directors, or a majority of them, are empowered to borrow money to carry into effect the objects of this act, to issue certificates or other evidences of such loan and to pledge the property of said company for payment of the same with interest.

SEC. 9. *Be it further enacted*, That the said President and Directors shall have power to require the Stockholders of said company to pay such instalment on their respective shares of stock, and at such times as may be deemed best for the interest of said company; and upon the failure or refusal of any Stockholder to pay the instalment required on his or her or their stock, in pursuance of any call made by said President and Directors as aforesaid, said President and Directors may, upon giving thirty days notice, proceed to sell at public sale the share or shares of said stock owned by said defaulting Stockholder, or such part thereof as they may think proper, to the highest bidder; and if upon a sale of the shares of stock owned by said defaulting Stockholder, said stock should be sold for more than the amount due upon instalments as above mentioned, the excess, after deducting accruing interest and the necessary expenses of sale, shall be paid over to said defaulting Stockholder.

SEC. 10. *Be it further enacted*, That the President and Directors of said company are hereby authorized to contract for and receive conveyances of land, stone, lumber and wood which may be necessary or required in the construction or maintenance of said railroad; and when the owner and company cannot agree upon a price, or when the owner is an infant, non resident or *non compos mentis*, then it shall be lawful for the President and Directors of said company to apply to the Sheriff of the county in which said land or other pro-

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party may be situated, who shall summon a jury of seven disinterested free-holders, a majority of whom shall be authorized to assess the damages and return their award or judgment to the next term of the Circuit Court for the county in which said land or other property may be situated, and which shall be entered by the clerk as the judgment of the Court, and execution may issue thereupon for the amount of said judgment and costs: *Provided, always,* That if either party shall, upon return thereof, be dissatisfied, they may, upon filing bond with good security in such sum as the Court may order, be allowed an appeal to the next term of the Circuit Court, said case shall stand for trial *de novo*: *Provided, also,* thirty days notice shall have been given to the opposite party, issued by the Clerk of the Court and served by the Sheriff of the county.

Proviso.

SEC. 11. *Be it further enacted,* That the Jurors summoned as aforesaid shall (before proceeding to the discharge of the duties herein required) take an oath or affirmation, which the Sheriff is hereby authorized to administer, to the effect that they will well and truly inquire into and, to the best of their judgment, assess the damages accruing to the owner and owners of such lands and materials by means of the proposed construction.

Oath of jury.

SEC. 12. *Be it further enacted,* That the said lands so condemned or estimated aforesaid shall enure to and become the property of said company for the purpose aforesaid, upon the payment by the said company of the amount assessed by said Jury, to the party claiming damages on account of the construction of said road through said lands, or for such other property: *Provided,* That said work shall be in no wise delayed on account of the proceedings had as aforesaid.

Land to be property of Co. on payment of damages.

SEC. 13. *Be it further enacted,* That in case any person shall wilfully injure or obstruct in any degree the said road or roads, he shall forfeit and pay to the President and Directors of said company three times the amount of all damages that they may sustain in consequence thereof, to be sued for and recovered in the same manner as provided by law for individuals in like cases; and on complaint to any magistrate within whose jurisdiction such offence shall be committed, it shall be the duty of such magistrate to bind the person or persons so offending, with sufficient security, for his or their good behavior for a period of not less than one year; and such offender shall be subjected to indictment, and shall be sentenced, at the discretion of the Court, to be imprisoned not less than three or more than six months.

Penalty for injury, &amp;c., of road.

SEC. 14. *Be it further enacted,* That in the construction of the said Railroad, the President and Directors of said company shall in no manner obstruct any public road now established, but shall provide convenient passages to travel over said road.

Public road not to be obstructed.

SEC. 15. *Be it further enacted,* That payments of subscription

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Stock may be  
paid for by la-  
bor, &c.

Tolls.

Limit.

Reservation to  
Gen. Assem-  
bly.

Banking pro-  
hibited.

Building of  
road, when to  
commence, &c.

Branch roads.

to the stock in said railroad may be made in materials, labor, provisions and in real, personal or mixed property, which the Board of Directors, at their discretion, may deem expedient to accept.

SEC. 16. *Be it further enacted*, That after the completion of said road, or any part thereof, the said President and Directors may lay and collect tolls from all persons, property, merchandize and other commodities transported thereon: *Provided*, the net profit of said road shall not exceed twenty per cent. per annum.

SEC. 17. *Be it further enacted*, That the General Assembly reserve the right and power to authorize the construction of any railroad to cross the one authorized in this act at any point the General Assembly may think proper.

SEC. 18. *Be it further enacted*, That nothing in this act shall be so construed as to confer upon said company any right to exercise the powers of a banking company, or to issue any description of paper or evidences of debt intended as a circulation.

SEC. 19. *Be it further enacted*, That said company hereby incorporated shall commence the building of said road within two years, and complete the same within ten years from the passage of this act.

SEC. 20. *Be it further enacted*, That the said company hereby incorporated is authorized to construct branch road or roads, if deemed necessary.

[Passed the House of Representatives, December 10th, 1856. Passed the Senate, Dec. 16th, 1856. Approved Dec. 26th, 1856.]

## CHAPTER 806.—[No. 32.]

AN ACT to create and organize the counties of Lafayette and Taylor.

Lafayette and  
Taylor coun-  
ties created.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That from and after the passage of this act, the southern portion of the County of Madison shall be erected into two new Counties, to be called the county of Lafayette and Taylor.

Boundaries of  
Lafayette Co.

SEC. 2. *Be it further enacted*, That the county of Lafayette shall have the following boundaries, to wit: Beginning at the mouth of Esteehatchie, and up said river to its source; then in a line to be run due North to the line that divides townships two and three; thence due East along said line to where said line crosses the Suwannee river; thence down said river to the Gulf of Mexico; thence along said Gulf from the mouth of the Suwannee to the mouth of the Esteehatchie.

Boundaries of  
Taylor Co.

SEC. 3. *Be it further enacted*, That the county of Taylor shall have the following boundaries, to wit: Beginning at the mouth of the Aucilla river, and running up said river to the centre of town-



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Ship two; thence East to the dividing line between ranges eight and nine; thence South to the line dividing townships two and three; thence along said line due East to where said line is intersected by the line forming the Western boundary of Lafayette county; thence down said line to the source of the Esteehatchie; thence down said river to the Gulf of Mexico; thence along said Gulf to the mouth of the Aucilla river.

SEC. 4. *Be it further enacted*, That the Judge of Probate for Madison county shall order an election, to be held on the first Monday in March next in said counties, at the usual places of holding elections, for one Judge of Probate, one Clerk, one Sheriff, one Coroner, one County Surveyor, one Tax-Assessor and Collector and four County Commissioners for each of said counties, the returns of said election to be made to the Judge of Probate of Madison county within five days after said election, and canvassed by him as the law now requires, and make return thereof to the Secretary of State, when it shall be the duty of the Governor to commission all the persons to the offices for which they have been duly elected.

Elections in  
when and by  
whom ordered.

Returns, &c.

SEC. 5. *Be it further enacted*, That it shall be the duty of the Judge of Probate for each of said Counties, when commissioned and qualified, to order an election to be held at the several precincts of their Counties for a place to be the permanent County site of the County. The place receiving the highest number of votes at the election shall be selected for the County Site, and it shall be the duty of the Board of County Commissioners for each County to have erected thereat suitable buildings for holding the Courts of said County.

Election for  
county site.

Buildings, &c.

SEC. 6. *Be it further enacted*, That until the necessary buildings may be erected for holding the Courts at the county site of Taylor County, the Courts of said County shall be held at the house of Daniel Bryant, and until the necessary buildings may be erected at the county site of Lafayette County, the Courts of said County shall be held at the house of Aziel Jones.

Courts where  
held.

SEC. 7. *Be it further enacted*, That the counties of Lafayette and Taylor shall be included in the Middle Judicial Circuit of this State, and the Circuit Courts of said Counties shall be held at the times and places provided by law.

Included in M  
dle Circuit.

SEC. 8. *Be it further enacted*, That the Justices of the Peace in office within the limits of said counties at the passage of this act, shall continue in office until their terms of office expire by law.

Justices of Peace

SEC. 9. *Be it further enacted*, That all suits, civil or criminal, which have been or may hereafter (before the organization of the counties of Lafayette and Taylor) be sued, prosecuted or commenced in any of the Courts of this State against any person or persons living and being within the boundaries of the counties aforesaid, shall

Suits where  
tried.



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Administration  
where settled.

be tried, prosecuted and completed in the same manner they would have been had this act creating said counties not been passed.

SEC. 10. *Be it further enacted*, That all letters of administration, letters testamentary and letters of guardianship or curatorship, which have been or may hereafter (before the organization of said counties) be granted by any Judge of Probate of this State upon estates lying and being in the limits of said counties, shall be settled in the county in which the same issued as fully as if this act creating said counties had not been passed.

Senatorial Dis-  
trict.

SEC. 11. *Be it further enacted*, That until otherwise provided by law, the said counties of Taylor and Lafayette shall remain part of the Senatorial District to which they now belong, and the respective inhabitants thereof shall vote in the same Senatorial District they would have voted had not this act creating said counties been passed.

Representation.

SEC. 12. *Be it further enacted*, That each of said counties shall be entitled to one Representative in the General Assembly, provided that by an enumeration to be taken in each of said counties, ordered by the Judge of Probate thereof, it be ascertained that the number of inhabitants in said counties respectively shall be equal to the ratio of representation now established by law; and until said counties respectively shall have the requisite number of inhabitants, they or the one that shall not have the requisite number of inhabitants, shall still remain a part of the Representative District of Madison.

[Passed the House of Representatives, December 17, 1856. Passed the Senate, December 19, 1856. Approved December 23, 1856.]

### CHAPTER 807.—[No. 33.]

An Act to incorporate a Bank in the City of Apalachicola.

Preamble.

WHEREAS, the persons hereinafter named, residents of the State of Florida, have associated themselves together for the purpose of forming a Bank to be located in the city of Apalachicola; and, whereas it is deemed expedient that said company be incorporated under proper restrictions and limitations—Therefore,

Corporation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That Anson Hancock, David G. Raney, William T. Wood, Thomas Orman, Thomas L. Mitchell, Charles Pratt, Thomas Mehin, Thomas H. Austin, John Sharron, Francis F. Mitchell, William A. McKenzie, Thomas Mathews, Ezra B. Balloue, N. J. Neblois, George Bucknam, Charles J. Shepard, George Sinclair, William H. Austin, Eugene W. Rogers and Henry F. Abell, with all persons who may hereafter become stockholders in said company, their successors and

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assigns, be and they are hereby made and created a corporation and body politic to be known and distinguished by the name and style of the "Bank of Apalachicola," and shall continue a corporation for twenty years, with power to hold, purchase, possess, both real and personal estate, as are hereinafter named, and enjoy all property, to sell and convey the same, to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended in courts of record or any other place whatsoever; and also to have, make and use a common seal, and also to adopt and put in execution such by-laws and regulations as shall seem necessary, not repugnant to laws and the Constitution of this State and of the United States; and generally to do all other acts pertaining to a banking corporation, subject to the limitations, restrictions and provisions hereinafter expressed.

SEC. 2. *Be it further enacted*, That the capital stock of said Bank shall consist of two hundred and fifty thousand dollars, subject to be increased to five hundred thousand dollars, and to be divided into shares of one hundred dollars each.

SEC. 3. *Be it further enacted*, That the corporators above named, or a majority of them, shall, on the first Monday in February, 1857, proceed to select from their number nine persons, who shall, when selected, constitute a Board of Directors, which Board of Directors upon their election shall proceed to open books of subscription for stocks in said Bank, and shall receive the money to be paid on said subscriptions, and shall give certificates of stock according to the actual subscriptions, the persons so subscribing and paying shall be deemed corporators thereafter, and not otherwise. The money paid in upon the subscription shall be paid into the Bank and deposited with its proper agents and officers by said Directors.

SEC. 4. *Be it further enacted*, That the subscribers for stock, at the time of the subscription, shall pay to the aforesaid Directors ten (10) per cent. of their subscription, and within six months thereafter, and before the Bank shall go into operation, the further instalment of 30 per cent., so that there shall be a capital of one hundred thousand dollars paid in at the commencement of the operations of said Bank, and nothing shall be deemed a payment thereof but gold and silver coin; and no note or bill shall be issued by said Bank until such shall have been paid in as aforesaid.

SEC. 5. *Be it further enacted*, That the Directors shall have power to call in the remainder of the subscriptions for stock in such sums and at such times as may by them be deemed proper, giving at least sixty days notice of the requisitions in a public gazette published in the city of Apalachicola; and if any subscriber shall fail to comply with such a call, when so made, he shall forfeit his stock, and the Directors shall proceed to sell such stock so forfeited; and all sums which may have been paid thereon shall enure to the benefit of the

Name.

Rights and powers.

Common seal.

Capital stock.

Directors.

Books of subscription.

Certificates of stock.

Money to be paid into Bank.

Per cent. of stock to be paid in, when.

When bills may be issued.

Directors to make calls.

Notice of.

Forfeiture for non-payment.

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Stock how transferred.

Directors, when elected.

President.

Vacancies.

Cashier and other officers.

Bond of.

Oath of.

Election on other days.

Votes according to shares.

Director to be stockholder, &amp;c.

Quorum.

Meeting of stockholders.

Salary of Pres'dt who to fix.

Bank. No transfer of stock shall be valid unless entered upon a book to be kept by the Bank for that purpose; and no one indebted to the Bank shall sell his stock except by consent of the Board of Directors.

SEC. 6. *Be it further enacted,* That there shall be nine Directors, who shall be elected on the first Monday in February in each and every year by the said stockholders in said Bank, when a majority of the votes cast shall be required to make a choice. The said Directors shall, at their first meeting after such election, elect one of their number President; and in case of the death or resignation of a Director, his place shall be filled for the remainder of the year by the remaining Directors. The Board of Directors shall have power to elect a Cashier, and such other officers as may be necessary, for such a length of time and at such compensation as they may deem best. The Cashier, before entering upon his duties, shall give bond, with two securities, to be approved of by the Directors, for such a sum as they may direct, with conditions for the faithful performance of his duties as Cashier; and the President, Cashier and other officers of said Bank, before entering upon the duties of their respective offices, shall take an oath well and faithfully to discharge the duties of their offices, which oath shall be subscribed and entered on the minutes of the Bank; and if it should happen that an election should not be made on the day prescribed by this act, then it shall be lawful to hold an election on such other day as may be prescribed by the rules and by-laws of said corporation.

SEC. 7. *Be it further enacted,* That the number of votes, in electing Directors, to which each stockholder shall be entitled, shall be according to the number of shares he or she may hold, each share to be entitled to one vote; and any stockholder, being absent, may by power of attorney, under seal, authorize any other stockholder to vote for him or her. A correct list of stockholders shall be made out two weeks before any election of Directors, for the inspection of the Directors and for the inspection of the stockholders. No one shall be a Director who is not a stockholder, holding in his own right twenty shares; and if any one of the Directors shall at any time during the term for which he was chosen cease to be a stockholder, his seat shall thereupon become vacant, and the remaining Directors shall at next meeting fill said vacancy. Five Directors shall constitute a quorum for the transaction of business, of whom the President shall be one, except in case of sickness or necessary absence, in which case the Board may appoint any other Director to fill his place. Any number of stockholders representing five hundred shares shall have power to call a meeting of the stockholders, giving sixty days notice of the meeting and its objects in a newspaper published in the city



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of Apalachicola. The stockholders in the Western District of Florida shall fix the compensation for the President.

SEC. 8. *Be it further enacted*, That all contracts made by the agents or officers of said Bank within the scope of their authority shall be obligatory on said Bank; and the bills issued by said Bank shall be signed by the President and countersigned by the Cashier.

Contracts of  
Agents, &c.

Bills how signed

SEC. 9. *Be it further enacted*, That the persons and property of the stockholders for the time being in said Bank, shall be pledged and bound, in proportion to the amount of shares held by each in their private and individual capacity, for the ultimate redemption of the bills or notes issued by or from said Bank during the time he or she may hold such stock.

Property of  
stockholders  
bound, &c.

SEC. 10. *Be it further enacted*, That it shall be the duty of the officers of the Bank quarterly to make report to the Governor of the State, showing the condition of the Bank, in which report there shall be distinctly stated what amount of capital has been paid in, what bills and notes of the Bank are in circulation, what other debts are due by the Bank, the amount of bills discounted and outstanding, specie in its vaults, notes of other Banks, debts due it by other banks, and such other particulars as usually compose the annual reports of a Bank, or may be necessary to afford the Legislature correct information of the actual condition of the Bank; and the Governor may appoint a Committee of one or more persons, not connected with any Bank in the State, to examine into the state of the Bank, to which Committee, if required, shall be exhibited such books and accounts, and such information on matters referred to it as may be in possession of the Bank: *Provided always*, That this shall not authorize said Committee to ask or receive any information as to the state of the account of any individual dealer with the Bank: *And provided also*, That any information thus communicated by the officers of the Bank, with the request that the same be considered confidential, shall be so considered, unless the Governor shall deem it proper that the injunction of secrecy be removed.

Report to be  
made to Gover-  
nor.

Governor may  
appoint commit-  
tee, &c.

SEC. 11. *Be it further enacted*, That the total amount of debts which said corporation shall at any time owe, shall not exceed double the amount of the capital actually paid in, over and above the money then actually deposited for safe-keeping.

Limit of debts.

SEC. 12. *Be it further enacted*, That the said Bank shall only hold such real estate as may be necessary for its immediate accommodation in the transaction of business; but it may accept, hold and transfer any real estate which it shall have *bona fide* received as security for or in satisfaction of any debt due the Bank, or may have purchased at any sale, under an execution in favor of the Bank: *Provided*, Said real estate thus obtained shall not be held by the Bank for more than two years as their absolute property.

What real estate  
may hold.

SEC. 13. *Be it further enacted*, That said Bank shall in no case,



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Not to concerned  
in commerce or  
insurance.

Dividends.

Forfeiture, for  
what.

Bills where pay-  
able.

How long Bank  
to exist.

directly or indirectly, be concerned in commerce or insurance, or in the importation or exportation, purchase or sale, of any goods, wares or merchandise whatsoever, (bills of exchange, notes and bullion excepted,) except such goods, wares and merchandize as may be duly transferred or conveyed to said Bank as security for debts due, or may be purchased by said Bank at sales under judgments in favor of said Bank, or to effect the insurance on the property that may belong to or be pledged to the said company for its security.

SEC. 14. *Be it further enacted*, That no dividend upon the capital stock of said bank, exceeding ten per centum per annum, upon the amount actually paid in, shall ever be made, but the surplus profits, if any, shall be set apart to constitute a safety fund.

SEC. 15. *Be it further enacted*, That a violation of the eleventh section of this act shall be considered and made the forfeiture of this corporation.

SEC. 16. *Be it further enacted*, That the bills of said Bank, on demand made, shall be payable at its counter, within the usual hours of business, in gold and silver coin.

SEC. 17. *Be it further enacted*, That the Bank may continue to exist for the period of twenty years from the approval of this act; but the owners of two-thirds of the capital stock may, at any time prior thereto, by a concurring vote at a general meeting to be called for that purpose, dissolve the same at a prior period; and after such dissolution, the Bank shall immediately be wound up, in the speediest manner possible, consistent with the interest of creditors and stockholders.

[Passed the Senate, December 20, 1856. Passed the House of Representatives, December 26, 1856. Approved, December 27, 1856.]

#### CHAPTER 808.—[No. 34.]

AN ACT to change the name of the site of Manatee county.

Name changed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That the name of the County site of the County of Manatee be changed from that of Palos to Manatee.

[Passed the House of Representatives, Dec. 15th, 1856. Passed the Senate, Dec. 17th, 1856. Approved Dec. 22, 1856.]

#### CHAPTER 809.—[No. 35.]

AN ACT to repeal an Act in relation to a Road Tax in the counties of Putnam and Marion.

SECTION 1. *Be it enacted by the Senate and House of Represen-*

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*tatives of the State of Florida in General Assembly convened, That an act entitled an act in relation to a Road tax in the Counties of Putnam and Marion, approved Dec. 28, 1854, be, and the same is hereby repealed.*

General law in force.

SEC. 2. *Be it further enacted, That the general law on the subject of Roads and Bridges, be in force in the Counties of Putnam and Marion.*

[Passed the Senate, December 5, 1856. Passed the House of Representatives, December 10, 1856. Approved, December, 1856]

### CHAPTER 810.—[No. 36.]

AN ACT to protect the inhabitants of Duval county from intrusions by sailors on the Sabbath day.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened, That it shall be unlawful for any sailor or sailors of, or upon any vessel lying in the St. John's River or Black Creek, to enter the premises of any citizen of said County on the Sabbath day, unless by the permission of said citizen, or to shoot with a gun or any other instrument on the Sabbath day, upon the premises of any citizen of said County, and any sailor violating this act shall, upon conviction, be fined in a sum not exceeding one hundred dollars nor less than twenty dollars.*

Penalty for intrusion upon citizen or shooting on Sabbath, &c.

SEC. 2. *Be it further enacted, That all laws and parts of laws conflicting with the provisions of this Act be and the same are hereby repealed.*

Repeal.

[Passed the House, December 15, 1856. Passed the Senate, December 17, 1856. Approved December 22, 1856.]

### [CHAPTER 811.—[No. 37.]

AN ACT to define the boundary line between Duval and Nassau counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened, That the head of waters of Thomas Swamp in the act defining the boundary line between Duval and Nassau County, shall be taken to be the Southwest corner of Township one, North of Range 25, East, and the said boundary line shall extend thence to the Southwest corner of Township two, South of Range 24, East; thence West along the boundary line between Townships two and three, South of Range*

Boundary defined.



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Not to alter original line of Duval county.

Expense of running.

twenty-three, to the point of intersection with the most Eastern branch of Big Creek, thence down said Creek to the St. Marys river.

SEC. 2. *Be it further enacted*, That nothing herein contained shall be so construed as to alter the original line of the County of Duval, and that the expense of running said line be borne by the county of Nassau.

[Passed the House of Representatives, December 15, 1856. Passed the Senate, December 19, 1856. Approved, January 2, 1857.]

## CHAPTER 812.—[No. 38.]

AN ACT to require the Register of State Lands to have all the School Lands of Columbia, Marion, Levy, Hamilton, Hillsborough, Santa Rosa, Escambia, St. Johns, Alachua, Madison and Orange counties that have not been offered for sale appraised and offered.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That the Register of School Lands be, and he is hereby required to have all the School Lands lying in Columbia, Marion, Levy, Hamilton, Hillsborough, Santa Rosa, Escambia, St. Johns, Alachua, Madison and Orange Counties that have not been offered for sale, to be appraised and offered for sale as early as practicable, in the manner now provided by law.

Register to offer lands.

Repeal.

SEC. 2. *Be it further enacted*, That all laws and parts of laws conflicting with this act be, and they are hereby repealed.

[Passed the House, December 19, 1856. Passed the Senate December 23, 1856. Approved January 2, 1857.]

## CHAPTER 813.—[No. 39.]

AN ACT to provide for the election of a county site of Holmes county.

Election for county site.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That an election be held on the first Monday of April, in the year 1857, for the purpose of locating permanently the county site of Holmes County, and it is hereby made the duty of the Judge of Probate of said County to advertise said election in the manner provided for in the election of County Officers.

Duty of inspectors.

SEC. 2. *Be it further enacted*, That it shall be the duty of the Inspectors of said Election, within five days after the same shall be held, to make out and transmit to the Judge of Probate of said Coun-

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ty a statement of the number of votes cast at their respective precincts for each place voted for as such County site, and it shall be the duty of the Judge of Probate within ten days after such election, to make out a statement of the whole number of votes given for each place voted for as such County site, and the place having the majority of the whole number of votes given at said election, shall be the County Site of said County.

Of Judge of Probate.

SEC. 3. *Be it further enacted*, That so soon as a suitable Court House and other buildings necessary for County purposes are built, at the place selected in said County for the county site, the Courts of said County shall be held there, until which time it shall be the duty of the Sheriff of said County, under the direction of the County Commissioners, to provide a place for holding Courts, and for the transaction of County business, within five miles of the place where the Court of said County was last held.

Courts, where to be held.

[Passed the House of Representatives, December 5, 1856. Passed the Senate, December 8, 1856. Approved, December 15, 1856.]

#### CHAPTER 814.—[No. 40.]

AN ACT to repeal an Act entitled an Act authorizing a road tax in Hernando county, approved Dec. 14th, 1855.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That an act entitled an act authorizing a road tax in Hernando County, approved December 14, 1855, be, and the same is hereby repealed.

Repeal.

SEC. 2. *Be it further enacted*, That all laws in reference to roads in said County, existing before the passage of said act, shall be, and remain in full force and virtue, as though said act had never been passed.

Acts revived.

[Passed the House of Representatives, Dec. 8th, 1856. Passed the Senate, Dec. 11th, 1856. Approved January 2d, 1857.]

#### CHAPTER 815.—[No. 41.]

AN ACT to amend the road laws of Nassau county, in this State.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That from and after the passage of this act the Road Overseers in the County of Nassau, shall be entitled to receive one dollar per day for

Pay of Road Overseers.



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County Commissioners to audit same.

Repeal.

every day they may be engaged in collecting the Road tax in said County.

SEC. 2. *Be it further enacted*, That it shall be the duty of the Judge of Probate and County Commissioners of Nassau County, when settling for County purposes, to audit and allow the above named compensation to be paid from the County Treasury.

SEC. 3. *Be it further enacted*, That all laws conflicting with the provisions of this act be, and they are hereby repealed.

[Passed the House of Representatives, Dec. 23rd, 1856. Passed the Senate, Dec. 26th, 1856. Approved Dec. 27th, 1856.]

## CHAPTER 816.—[No. 42.]

AN ACT to repeal the 5th Section of an Act entitled an Act to Organize the county of Sumpter, approved January 8th, 1853.

Repeal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That the fifth section of an act entitled an act to organize the county of Sumpter be and the same is hereby repealed.

Election for county site.

SEC. 2. *Be it further enacted*, That it shall be the duty of the Judge of Probate of said county to order an election to be held at the several precincts in said county on the first Monday in the month of August, in the year one thousand eight hundred and fifty-seven, for the purpose of locating a county site, and the place receiving the majority of the votes of said county shall be the county site of said county.

[Passed the House of Representatives, December 19th, 1856. Passed the Senate, Dec. 23rd, 1856. Approved Dec. 27th, 1856.]

## CHAPTER 817.—[No. 43.]

AN ACT to exempt the residents of Cedar Keys from road duty in certain cases.

Preamble.

WHEREAS the residents upon Cedar Keys, in the county of Levy, are several miles from the main land, and at times, in consequence of inclement weather, it is inconvenient for them to pass from the Keys to the main land; and whereas it is desired that they shall be relieved from working on the public roads by payment of money in lieu thereof at certain times—Therefore,

Exemption on payment of equivalent to proper officer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That hereafter it shall be lawful for the residents upon Cedar Keys, in

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Levy county, to be relieved and exempted from work upon the public roads in said county which they may be summoned to perform under the laws of the State, by payment to the proper officer of a sum not more than one dollar nor less than fifty cents for each and every day they or any of them shall not work upon the road when summoned so to do: *Provided, nevertheless,* That they may work upon said roads under the State laws, if they prefer so to do. Proviso.

[Passed the House of Representatives, Dec. 8th, 1856. Passed the Senate, Dec. 11th, 1856. Approved Dec. 23d, 1856.]

### CHAPTER 818.—[No. 44.]

AN ACT to change the Location of the County Site of Calhoun county.

WHEREAS, by petition of the citizens of Calhoun county, it appears that they desire to change the Court House from Abe Spring Bluff, where the same was located by act approved January 10th, 1849—Therefore, Preamble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the citizens of Calhoun county shall have power and they are hereby authorized to remove the Court House of said county from Abe Spring Bluff, where the same was located by a bill entitled an act to locate permanently the county site of Calhoun county, and for other purposes, approved January 10th, 1849, and to establish and permanently locate the same at any other or different place in said county, to be determined and designated by a majority of the legal voters of said county at the first ensuing election for county officers of said county after the passage of this act. Voters may remove Court House.

SEC. 2. *Be it further enacted,* That at said election each voter at each precinct shall declare upon his ticket the place which he would prefer for the county site of said county, and the place receiving the highest number of votes at said election shall be the county site of said county, and remain so until otherwise changed by law. Election, when.

SEC. 3. *Be it further enacted,* That when the county site of said county shall have been established by vote, according to the provisions of this act, it shall be the duty of the County Commissioners of said county to attend and see to the erecting of a suitable building for the purpose of holding courts therein as a Court House, and that until said Court House is built the Courts shall be held at Abe Spring Bluff, in said county. Choice, how declared.

SEC. 4. *Be it further enacted,* That it shall be the duty of the Judge of Probate of Calhoun county to give notice of this act at the time of ordering the election for county officers, as provided in the County Commissioners to erect Court House.

Courts, where held.

Notice of act to be given.

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first section of this bill, and the Inspectors of said election shall make return thereof according to law, as in other cases of election.

Duty of canvassers.

SEC. 5. *Be it further enacted*, That the Board of Canvassers of said election for county officers shall canvass the vote upon said question of removal as in other cases of election, and the Judge of Probate shall certify the result of said election to the Board of County Commissioners for said county.

Certificate of election.

County site established.

SEC. 6. *Be it further enacted*, That so soon as said Court House is built and ready for the reception of the Court, the County Commissioners of said county shall certify the same to the Clerk of the Circuit Court of said county, and from and after said certificate the place designated shall be the county site of said county, and the Circuit Courts in and for said county shall thereafter be held at said Court House.

Repeal.

SEC. 7. *Be it further enacted*, That all acts inconsistent with this be and the same are hereby repealed.

[Passed the Senate, December 19, 1856. Passed the House, December 20, 1856. Approved Dec. 27, 1856.]

#### CHAPTER 819.—[No. 45.]

AN ACT to repeal an Act entitled an Act to permanently Locate the County Site of Hernando county, approved Dec. 29th, 1854, and to provide for the more central and satisfactory location of the county site of said county.

Repeal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That an act entitled an act to permanently locate the county site of Hernando county, approved December the 29th, 1854, be and the same is hereby repealed.

Voters to fix county site.

SEC. 2. *Be it further enacted*, That the county site of said county shall be permanently located by the legal voters of the county in the manner hereinafter provided by this act.

Selection of places to be voted for.

SEC. 3. *Be it further enacted*, That the Judge of Probate of said county, with the Commissioners of said county, or a majority of them, shall select not more than two places within five miles of the reputed centre of said county, (said centre to be determined by the said Judge of Probate and County Commissioners, or a majority of them,) to be voted for by the qualified voters of said county, and any citizen or citizens may select other places (not exceeding three) within five miles of the said reputed centre of said county, to be voted for in like manner as those selected by the said Judge of Probate and County Commissioners.

SEC. 4. *Be it further enacted*, That all selections made by the said Judge of Probate and County Commissioners, and all selections



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To be in writing  
and where filed.

made by any citizen or citizens of said county, in conformity with the 3rd section of this act, shall be in writing and filed in the office of the Judge of Probate of said county within three months after the passage of this act.

SEC. 5. *Be it further enacted*, That after the expiration of three months from the passage of this act, or as soon thereafter as practicable, the Judge of Probate of said county shall order an election for the permanent location of the county site, giving not less than thirty days notice thereof and specifying the several places which have been selected, and returned to him, and the several places thus specified shall be in nomination to be voted for, and none other.

Election to be  
ordered.

SEC. 6. *Be it further enacted*, That said election shall be conducted in the manner now provided by law for the election of Senators and Representatives to the Legislature of this State, and the returns of said election shall be canvassed by the Judge of Probate in the same manner as is now provided by law for State elections; and if it shall appear, upon canvassing the votes of said election, that any one place has secured a majority of the whole vote cast, such place shall be the permanent location of the county site of said county; but if no place shall receive a majority of the whole vote cast, then it shall be the duty of the Judge of Probate to order another election, giving not less than fifteen days notice, and to designate the two places which received the highest number of votes at the previous election, which two places so designated shall be in nomination, and none other; and this election shall be conducted in like manner as the previous election, and the place receiving the highest number of votes at this election shall be the permanent location of the county site of said county.

Election, how  
conducted.Majority neces-  
sary to a choice.New election,  
when.

SEC. 7. *Be it further enacted*, That as soon as practicable after the location of said county site, as hereinbefore provided, the County Commissioners of said county shall provide a Court House and Jail, and such other improvements as are necessary for the use of the county at the place so located, and until such improvements and location are made it shall be the duty of said Commissioners to provide temporarily for the holding of the Circuit Courts of said county and for the transaction of all county business at or as near Pierceville, in said county, as suitable accommodations for the Court can be procured: *Provided*, such place shall not be more than three miles from Pierceville.

Court House, &c.  
to be built.Courts, where  
temporarily held

Proviso.

SEC. 8. *Be it further enacted*, That the Judge of the Southern Circuit, upon notice in writing from the County Commissioners that they have provided for the holding of said Court, (which notice shall state the place by some particular name,) shall make an order to be entered upon the minutes of said Court, directing the Clerk to remove all the records and papers of the Court to said place, and the

Judge to order  
removal of rec-  
ords, when.



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Repeal.

terms of the Circuit Court shall be held at such place until suitable buildings are provided at the county site.

SEC. 9. *Be it further enacted*, That all laws and parts of laws conflicting with the provisions of this act be and the same are hereby repealed.

[Passed the Senate December 17, 1856. Passed the House of Representatives, December 20, 1856. Approved, December 27, 1856.]

### CHAPTER 820.—[No. 46.]

AN ACT to amend the Road Law applicable to the county of Duval.

Road tax in  
Jacksonville,  
how applied.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That whatever amount of road tax is hereafter assessed upon and collected from, or whatever work, labor or material shall be rendered or furnished in lieu of money, for the road tax by the citizens of the town of Jacksonville, in Duval county, under the road law of said county, shall be applied solely and exclusively to the improvement of the streets and side-walks within the corporate limits of the said town of Jacksonville, under the direction of the Common Council of said town.

Money collected,  
to whom paid.

SEC. 2. *Be it further enacted*, That the Collector of Taxes for that district shall pay over all monies which he shall receive from said citizens, first deducting his legal fees therefrom, unto the Treasurer of the said town of Jacksonville, who shall account for the same to the Common Council of said town; and all persons who wish to commute their road tax, as provided for by law, shall have the privilege of doing so by giving notice to the said Town Council or to the officer who may have superintendence of the expenditure of the said fund.

Commutation,  
notice to be giv-  
en.

Town Council  
may remit.

SEC. 3. *Be it further enacted*, That for all purposes in connection with the provisions of this act and to carry them out more conveniently, the said Town Council shall have the same authority to remit all or any part of the tax imposed upon the citizens of said town as the County Commissioners have had to remit the tax imposed upon the citizens of said county.

Repeal.

SEC. 4. *Be it further enacted*, That all laws or parts of laws conflicting with the provisions of this act be and the same are hereby repealed.

[Passed the House, December 5, 1856. Passed the Senate, December 9, 1856. Approved December 15, 1856.]

## CHAPTER 821.—[No. 47.]

AN ACT to separate the office of Tax-Assessor and Collector from that of Sheriff in Alachua county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the duties now required to be performed by the Sheriff in the collection and assessment of taxes in the county of Alachua be performed by an Assessor and Collector, which shall be a separate and distinct office from that of Sheriff in the said county after the year 1857; and that an election be held at the several precincts in said county on the first Monday in October, 1857, for Assessor and Collector in said county, who, before entering upon the duties of his office, shall take the same oath and give bond and security as other Assessors and Collectors are required to do, and also be entitled to receive the same fees for his said services.

Taxes to be assessed & collected by Assessor and Collector.

Election for.

SEC. 2. *Be it further enacted,* That all laws and parts of laws conflicting with the true intent and meaning of this act be and the same are hereby repealed.

Repeal.

[Passed the House, December 4, 1856. Passed the Senate, December 5, 1856. Approved, December 11, 1856.]

## CHAPTER 822.—[No. 48.]

AN ACT to Fix and Locate the County Site of Orange county.

WHEREAS the citizens and legal voters of the county of Orange have by vote elected and located the county site of said county at a place called *Orlando*, said place being on section twenty-six (26,) township twenty-two (22) South, range twenty-nine (29) East; and whereas it appears that a majority of the legal voters of said county of Orange are in favor of the county site or Court House of said county being located at the said place known as Orlando—Therefore,

Preamble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the next fall term of the Circuit Court for Orange county for the year (1857) eighteen hundred and fifty-seven, and the subsequent terms of said Court thereafter, shall be held at the said place called Orlando, in the said county of Orange.

Courts, where held.

SEC. 2. *Be it further enacted,* That all laws and parts of laws inconsistent or conflicting herewith be and the same are hereby repealed.

Repeal.

[Passed the Senate, Dec. 26th, 1856. Passed the House of Representatives, Dec. 27th, 1856. Approved Dec. 30th, 1856.]

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## CHAPTER 823.—[No. 49.]

AN ACT to repeal and amend the 4th section of an act entitled an Act authorizing a road tax in Hernando county, approved Dec. 14th, 1855.

Repeal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the fourth section of an act authorizing a Road Tax in Hernando County, approved Dec. 14, 1855, be and the same [is] are hereby repealed and annulled.

[Passed the House of Representatives, December 18, 1856. Passed the Senate, December 22, 1856. Approved, December 27, 1856.]

## CHAPTER 824.—[No. 50.]

AN ACT to define specifically the Duties of the Board of County Commissioners of Monroe county.

Commissioners  
to build fire-  
proof building  
for records.

Proviso.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That hereafter the County Commissioners of the county of Monroe shall, after the expenses of collection of the revenue assessed and collected for the use of said county, cause to be built a suitable fire-proof building for the safe keeping of the county records, provided it does not cost over one thousand two hundred and fifty dollars.

Balance of revenue  
to be applied  
to school purposes.

SEC. 2. *Be it further enacted,* That after the necessary expenses of keeping in good repair the County Court House, Jail, School House and all other county buildings, fences, roads, bridges, &c., the balance of the revenue collected shall be applied for County School purposes.

Repeal.

SEC. 3. *Be it further enacted,* That all laws and parts of laws militating against the provisions of this act be and the same are hereby repealed.

[Passed the House of Representatives, December 22, 1856. Passed the Senate, December 26, 1856. Approved December 27, 1856.]

## CHAPTER 825.—[No. 51.]

AN ACT for the better government of Slaves in the County of Monroe.

Unlawful to loan  
to slave, &c.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That from and after the passage of this act, it shall not be lawful for any person in said County to loan or advance any slave or slaves, any money or property to enable such slave or slaves to purchase his,

her or their freedom, or to enable him, her or them to remain in a condition of nominal slavery; and any person so offending shall be liable to indictment, and on conviction thereof, shall be fined in a sum not exceeding five hundred dollars, nor less than fifty dollars, at the discretion of the jury. Penalty.

[Passed the Senate, Dec. 22d, 1856. Passed the House of Representatives Dec. 24th, 1856. Approved Dec. 29th, 1856.]

### CHAPTER 826.—[No. 52.]

AN ACT for the relief of Dr. George D. Fisher.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened, That* the Comptroller of Public Accounts be, and he is hereby authorized to audit and allow to Dr. George D. Fisher, twenty-six (26.00) dollars for his attendance on the Coroner's inquest at an examination held on the body of Hustes Gonzalez, in the year 1854. Appropriation for.

[Passed the House of Representatives, December 3d, 1856. Passed the Senate, December 5th, 1856. Approved December 11, 1856.]

### CHAPTER 827.—[No. 53.]

AN ACT to enable Joseph M. Taylor, of Hernando county, to enter and pay for certain portions of the Common School Lands.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened, That* Joseph M. Taylor, of Hernando county, be and he is hereby authorized to enter and pay for the West half of S. E. quarter and the East half of S. W. quarter of the sixteenth section in range 19, township 23, S. and E. of the Common School Lands, at its appraised value, under the privileges allowed by law to purchasers of State lands. Authorized to enter land.

[Passed the Senate, Dec. 8th, 1856. Passed the House of Representatives, Dec. 15, 1856. Approved Dec. 22, 1856.]

### CHAPTER 828.—[No. 54.]

AN ACT to change the name of Joshua Jesse Stafford to Joshua Jesse Sanford

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened, That* Name changed.



1856.

from and after the passage of this act, the name of Joshua Jesse Stafford, of Madison County, be changed to that of Joshua Jesse Sanford.

[Passed the Senate, December 16, 1856. Passed the House of Representatives, December 19, 1856. Approved, December 23, 1856.]

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CHAPTER 829.—[No. 55.]

AN ACT to authorize Mary Morino, a minor, to assume the management of her own estate.

Authorized to  
manage estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That Mary Morino, a minor, be and she is authorized to assume the management of her own estate.

May make con-  
tracts.

SEC. 2. *Be it further enacted,* That the said Mary Morino be and she is hereby empowered to contract and be contracted with, and all contracts entered into by her shall be as valid in law as though she had attained the age of twenty-one years.

[Passed the Senate, December 5, 1856. Passed the House of Representatives, December 12, 1856. Approved December 22, 1856.]

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CHAPTER 830.—[No. 56.]

Bill for the relief of Isaiah Cobb, ex-Sheriff of Santa Rosa county.

Appropriation  
for.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the Comptroller of Public Accounts be and he is hereby authorized to audit and allow to Isaiah Cobb, ex-Sheriff of Santa Rosa county, eighty-two dollars and ten cents for taking the census of children in year 1854 and 1855, as per act 1852 and 1853.

[Passed the Senate, Dec. 4th, 1856. Passed the House of Representatives, Dec. 8th, 1856. Approved Dec. 12, 1856.]

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CHAPTER 831.—[No. 57.]

AN ACT to empower Watson Ashurst, a minor, to act as Deputy Clerk.

May act as Dep-  
uty Clerk, &c.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That Watson Ashurst, a minor, be authorized to perform all the duties of

Deputy Clerk for the County of Duval, and that all his acts shall be legal and binding in law, as if the said Watson Ashurst had attained the age of twenty-one years.

[Passed the Senate December 19, 1856. Passed the House December 23, 1856. Approved December 30, 1856.]

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CHAPTER 832.—[No. 58.]

AN ACT for the relief of Joel Walker, late Sheriff of Jefferson county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the Comptroller is hereby authorized and directed to draw his warrant on the Treasurer for (\$32.40) thirty-two 40-100 dollars in favor of Joel Walker, and the Treasurer directed to pay the same.

Appropriation  
for.

[Passed the House December 23, 1856. Passed the Senate December 27, 1856. Approved January 2, 1857.]

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CHAPTER 833.—[No 59.]

AN ACT to empower Arthur Macon, a minor, to assume the management of his own estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That Arthur Macon, of Leon county, (a minor,) be authorized to assume the management of his own estate.

Authorized to  
manage estate.

SEC. 2. *Be it further enacted,* That all receipts, bonds, obligations or contracts of whatsoever nature hereafter given, made or entered into by him, the said Arthur Macon, shall be as valid and binding in law or equity as if the same had been given, made or entered into after he had attained the age of twenty-one years; and he is hereby made capable of suing and being sued, of pleading and being impleaded in any Court of Law or Equity in this State.

Contracts, &c. to  
be binding.

[Passed the Senate, Dec. 1, 1856. Passed the House, Dec. 4, 1856. Approved Dec. 11, 1856.]

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CHAPTER 834.—[No. 60.]

AN ACT to authorize Fitzwilliam B. Taylor, of Jefferson county, to assume the management of his own estate.

SECTION 1. *Be it enacted by the Senate and House of Represent-*

1856.

May manage estate.

Contracts to be binding.

*atives of the State of Florida in General Assembly convened, That Fitzwilliam B. Taylor, of Jefferson County, be and he is hereby authorized to assume the control and management of his own estate, and that all contracts and agreements made hereafter by the said Fitzwilliam B. Taylor be, and the same are hereby declared to be as binding upon him as the same would be were he of lawful age.*

[Passed the House December 23, 1856. Passed the Senate December 27, 1856. Approved January 2, 1857.]

## CHAPTER 835.—[No. 61.]

AN ACT to change the Names of certain persons therein named.

Name changed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened, That the name of Manuel Leon Jordan, and that of May Isabella Jordan, be and are hereby changed to that of Manuel Leon Crespo and May Isabella Crespo.*

[Passed the Senate December 18, 1856. Passed the House December 22, 1856. Approved December 27, 1856.]

## CHAPTER 836.—[No. 62.]

AN ACT to allow Wm. S. Perry to enter the Northwest quarter of section sixteen, township ten, range twenty-two of the Common School Lands.

Register authorized to sell land to.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened, That the Register of State Lands be and he is hereby authorized and directed to sell to William S. Perry, of Alachua county, the Northwest quarter of section sixteen, township ten, range twenty-two, South and East, belonging to the Common School Fund, at such price per acre as shall be determined upon by three disinterested persons, to be appointed as hereinafter directed.*

Price how determined.

SEC. 2. *Be it further enacted, That the Register shall designate and appoint three disinterested persons, residing in Alachua county, who shall appraise the land mentioned in the first section of this act and determine the price at which the same shall be sold according to the first section aforesaid, and, upon the said Wm. S. Perry complying with the law in reference to the sales of said lands, the said Register shall execute to him a certificate of purchase or deed, as the case may be, at the price determined upon by said appraisers.*

[Passed the Senate December 5, 1856. Passed the House, December 16, 1856. Approved December 27, 1856.]

1856.

## CHAPTER 837.—[No. 63.]

AN ACT to authorize William H. Watson to establish a ferry across the Suwannee and Withlacoochee rivers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That William H. Watson be, and he is hereby authorized to establish a Ferry across the Suwannee River at Columbus, and also ferries from Columbus to Hamilton Point in Hamilton County, and from said Hamilton Point across the Withlacoochee River to Madison County, for and during the term of ten years from the passage of this act.

Authorized to  
establish Ferry.

SEC. 2. *Be it further enacted,* That the said William H. Watson, his heirs and assigns, shall at all times keep a good and sufficient ferry-boat or flat to cross loaded wagons and teams, &c., and he shall receive such rates of ferriage as shall or may be established from time to time by the County Commissioners of Columbia County, and be subject to the orders of said Commissioners.

Ferry boat to be  
kept.

Rates of ferriage

SEC. 3. *Be it further enacted,* That if the said William H. Watson, shall fail to establish the said ferries within one year from the passage of this act, then the rights and privileges granted by this act are void.

Ferry to be es-  
tablished within  
one year.

[Passed the House, December 4, 1856. Passed the Senate, December 5, 1856.  
Approved, December 11, 1856.]

## CHAPTER 838.—[No. 64.]

AN ACT to legalize the will of John Perry, deceased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the last will and testament of John Perry, late of Columbia county, deceased, shall be as valid and binding in law as though the said Perry had the same regularly witnessed.

Will declared  
valid.

[Passed the House, December 15, 1856. Passed the Senate, December 18, 1856.]

## CHAPTER 839.—[No. 65.]

AN ACT for the relief of William H. Hickman, of Putnam county.

WHEREAS, William H. Hickman, of the county of Putnam, has made extensive improvements on lots Nos. 10 and 11, in section 17,

Preamble,



1856.

township 9 and range 27 E., (located as School Lands,) and which lands have not been offered for sale—Therefore,

Register to sell  
lands to.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That the Register of Public Lands be and he is hereby authorized and required to sell the above described lands to the said William H. Hickman at the appraised value for said lands, without advertising and offering them at public sale, as is required by law.

[Passed the Senate, December 1, 1856. Passed the House, December 4, 1856. Approved December 11, 1856.]

### CHAPTER 840.—[No. 66.]

AN ACT empowering the Register to sell to Nathaniel Fowler a quarter section of land.

Register to sell  
lands to.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That the Register of State Lands be and he is hereby authorized and required to sell to Nathaniel Fowler the Northwest quarter of the S. E. quarter, and N. E. quarter of S. W. quarter of section 16, T. 7, Range 20, S. and E., at an appraised value, without advertising the same, on the same terms as lands are now sold by the Register which have been offered for sale at public outcry.

[Passed the House, December 18, 1856. Passed the Senate, December 22, 1856. Approved December 27, 1856.]

### CHAPTER 841.—[No. 67.]

AN ACT to authorize Harrison Fairbank to establish a ferry across Oclocknee river.

Authorized to  
establish Ferry.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That Harrison Fairbank be and he is hereby authorized to establish a ferry across the Oclocknee river in township No. 3, Range No. 1, section 11, in the county of Leon, on the East side of said river, and in the county of Gadsden on the West side, for and during the term of twenty years from the passage of this act.

Ferry boat to be  
kept.

Rates of ferrriage

SEC. 2. *Be it further enacted*, That the said Harrison Fairbank, his heirs or assigns, shall at all times keep a good and sufficient flat or ferry-boat to cross loaded wagons and teams, and shall receive such rates of ferrriage as shall or may be established by the Board of County Commissioners of Leon county.

1856.

SEC. 3. *Be it further enacted*, That if the said Harrison Fairbank shall fail to establish said ferry within the term of six months from the passage of this act, then all rights granted by this act shall be null and void.

To be establish'd  
within 6 months.

SEC. 4. *Be it further enacted*, That all laws conflicting with the provisions of this act be and they are hereby repealed.

Repeal.

[Passed the Senate, December 12, 1856. Passed the House, December 18, 1856. Approved December 23, 1856.]

### CHAPTER 842.—[No. 68.]

AN ACT to authorize N. A. Jamieson to establish a Ferry across the Santa Fe River.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That Nathaniel A. Jamieson be and he is hereby authorized to establish a ferry across the Santa Fe river at Fort White, in Columbia county, for and during the term of ten years.

Authorized to es-  
tablish Ferry.

SEC. 2. *Be it further enacted*, That the said Nathaniel A. Jamieson, his heirs and assigns, shall at all times keep a good and sufficient ferry-boat or flat, to cross loaded wagons and teams, and he shall receive such rates of ferriage as shall or may be established by the Board of County Commissioners of Columbia county, and be subject to the orders of said Commissioners.

Ferry boat to be  
kept.

Rates of ferriage

SEC. 3. *Be it further enacted*, That if the said Nathaniel A. Jamieson, his heirs or assigns, shall fail to establish the said ferry within one year after the passage of this act, then the rights and privileges granted by this act are null and void.

To be establish'd  
within one year.

SEC. 4. *Be it further enacted*, That no person or persons shall be allowed to establish a ferry or bridge within five miles of said ferry.

Exclusive right.

[Passed the House, December 17, 1856. Passed the Senate, December 19, 1856. Approved December 23, 1856.]

### CHAPTER 843.—[No. 69.]

AN ACT to authorize Daniel Young to establish a Ferry across the Suwannee River at or near the Warehouse.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That Daniel Young be and he is hereby authorized to establish a ferry across the Suwannee river at or near the place known as the Warehouse for the term and period of ten years from the passage of this act.

Authorized to  
establish Ferry.

1856.

Flat to be kept.

Rates of ferriage

Repeal.

SEC. 2. *Be it further enacted*, That the said Daniel Young, his heirs or assigns, shall at all times keep a good and sufficient flat to cross loaded wagons and teams, and shall therefor receive such rates of ferriage as from time to time may be established by the Board of County Commissioners of Madison county.

SEC. 3. *Be it further enacted*, That all laws conflicting with the above are hereby repealed.

[Passed the House, December 24, 1856. Passed the Senate, December 26, 1856. Approved December 27, 1856.]

## CHAPTER 844.—[No. 70.]

AN ACT for the relief of Haley T. Blocker, Sheriff of Leon county.

Appropriation  
for.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That the Comptroller be and he is hereby required to issue his warrant on the Treasurer in favor of Haley T. Blocker, Sheriff of Leon county, allowing the said Haley T. Blocker the sum of fifty cents per day from the 10th of October, 1855, to the 1st of January, 1857, for the charge and maintenance of one John Williams, a lunatic; also to audit his account for the sum of eight dollars and twenty-five cents, expended by him in the purchase of clothing for said lunatic.

[Passed the House, December 22, 1856. Passed the Senate, December 26, 1856. Approved December 27, 1856.]

## CHAPTER 845.—[No. 71.]

AN ACT to authorize Samuel A. Pearce to establish a Ferry on the Yellow River.

Authorized to  
establish Ferry.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That Samuel A. Pearce be and he is hereby authorized to establish a ferry between the junction of Shoal River and Griffith's Ferry on the Yellow River: *Provided*, it shall not be within four miles of Griffith's Ferry.

Within a year.

SEC. 2. *Be it further enacted*, That the said Samuel A. Pearce, his heirs and assigns, shall establish said ferry within one year from the passage of this act, shall at all times keep a good and sufficient flat to cross loaded wagons and teams, and shall receive such rates of ferriage as may be established from time to time by the County Commissioners of Santa Rosa county.

Flat.

Rates of ferriage

[Passed the House, December 19, 1856. Passed the Senate, December 23, 1856. Approved December 27, 1856.]

1856.

## CHAPTER 846.—[No. 72.]

AN ACT to authorize George Bell, a Minor, to assume the management of his own estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That George Bell, a minor, in the County of Hamilton of this State, be, and he is hereby authorized to assume the management of his own estate, in the same manner as though he had arrived to the age of twenty-one years.

Authorized to manage estate.

SEC. 2. *Be it further enacted*, That the receipt of the said George Bell to his Guardian, or to the Administratrix of the estate of his Father, for his distributive share of his said Father's Estate, shall be as full and ample acquittance to the said Administratrix, or to his said Guardian, as though the said George Bell had arrived at the age of twenty-one years.

Receipt to guardian a good discharge.

[Passed the House of Representatives, December 15, 1856. Passed the Senate, December 17, 1856. Approved, December 22, 1856.]

## CHAPTER 847.—[No. 73.]

AN ACT to authorize James W. Bryant to establish a Ferry across the St. Johns River.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That James W. Bryant be, and he is hereby authorized to establish a Ferry across the St. Johns river at a place known as Welaka, for and during the term of ten years.

Authorized to establish Ferry.

SEC. 2. *Be it further enacted*, That the said James W. Bryant, his heirs and assigns, shall at all times keep or cause to be kept a good and sufficient Ferry Boat or Flat, to cross loaded wagons, carriages, &c., &c., and he or they shall receive such rates of ferriage as may be established by the Board of Commissioners of Putnam County.

Ferry boat to be kept.

Rates of ferriage

SEC. 3. *Be it further enacted*, That if the said James W. Bryant, his heirs or assigns shall fail to establish said Ferry within one year from the passage of this act, then the rights and privileges granted by this act are to be void.

To be established within one year.

[Passed the House of Representatives, Dec. 15th, 1856. Passed the Senate, Dec. 16th, 1856. Approved Dec. 22d, 1856.]



1856.

## CHAPTER 848.—[No. 74.]

AN ACT to authorize Andrew Jackson Deens to establish a Ferry across the Escambia River.

Authorized to establish Ferry.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened, That* Andrew Jackson Deens be, and he is hereby authorized to establish and keep a public Ferry across the Escambia River, at or near its junction with the Bay of Escambia, and that he be allowed to charge such rates of Toll as may be from time to time established by the County Commissioners of Santa Rosa County.

Rates.

Privileges vest'd for 20 years.

SEC. 2. *Be it further enacted, That* all the rights, privileges, profits and emoluments of said Ferry be, and are hereby vested in the said Andrew Jackson Deens, his heirs, executors, administrators, and assigns, for the term of twenty years: *Provided* the said Andrew Jackson Deens, his heirs, executors, administrators and assigns shall always keep a Flat of sufficient size and strength to carry over a loaded wagon and team, and shall strictly comply with the rules and regulations that may be established by the County Commissioners of Santa Rosa County, or that may be hereafter provided by law.

Conditioned to keep Flat & observe rules, &c.

Exclusive right.

SEC. 3. *Be it further enacted, That* it shall not be lawful for any person or persons to establish or keep a Ferry within less than three miles above or below said Ferry, unless the same be toll free, and for his, her or their individual use.

Act subject to amendment, &c.

SEC. 4. *Be it further enacted, That* this act shall at any time be subject to the amendment, modification or repeal of any future Legislature of the State of Florida.

[Passed the Senate, December 5, 1856. Passed the House of Representatives, December 10, 1856. Approved, December 23, 1856.]

## CHAPTER 849.—[No. 75.]

AN ACT to change the names of James Bell, Martha Ann Odham and Emory Odham.

Names changed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened, That* the names of James Bell, Martha Ann Odham and Emory Odham, be and the same are hereby changed to that of James Sherman, Martha Ann Sherman, and Emory Sherman.

[Passed the Senate, December 5, 1856. Passed the House of Representatives, December 10, 1856. Approved December 18, 1856.]

## CHAPTER 850.—[No. 76.]

AN ACT for the relief of Alexander Purviance, Absalom S. Smith, Ira S. Rouse, and W. W. Burke.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the Treasurer of this State be authorized and required to refund to Alexander Purviance, Absalom S. Smith, Ira S. Rouse and W. W. Burke, Five Hundred dollars, with interest and costs of suit, which amount has been collected from them as sureties of one Bennet, who was convicted of an assault, with intent to kill, in the Circuit Court for the County of Hamilton, and who has since proved to be insane.

Appropriation  
for

[Passed the Senate, December 5, 1856. Passed the House of Representatives, December 18, 1856. Approved December 23, 1856.]

## CHAPTER 851.—[No. 77.]

AN ACT to change the name of Julia E. Falana, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the name of Julia E. Falana be, and the same is hereby changed, to Julia E. Price.

Name changed.

SEC. 2. *Be it further enacted,* That the said Julia E. Price be, and she is hereby declared the legitimate child of John W. Price, and entitled to all the rights that she would have been had she been born in lawful wedlock.

Declared legitimate.

[Passed the House of Representatives, December 5, 1856. Passed the Senate, December 9, 1856. Approved, December 15, 1856.]

## CHAPTER 852.—[No. 78.]

AN ACT to change the name of Sarah A. Falana.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the name of Sarah A. Falana be, and the same is hereby changed to Sarah A. Brown.

Name changed.

[Passed the House of Representatives December 5, 1856. Passed the Senate, December 8, 1856. Approved, December 15, 1856.]

1856.

## CHAPTER 853.—[No. 79.]

AN ACT to authorize Richard Ellison to establish a Ferry across the Suwannee River.

Authorized to  
establish Ferry.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That Richard Ellison be, and he is hereby authorized to establish a Ferry across the Suwannee River at a place known as Ellison's Ferry.

Flat to be kept.

SEC. 2. *Be it further enacted,* That said Richard Ellison, his heirs and assigns, shall at all times keep a good and sufficient Flat at said Ferry to cross loaded wagons and teams, and shall receive such compensation or rate of ferriage as may be from time to time established by the County Commissioners of Madison County.

Rates of ferriage

[Passed the House of Representatives, December 5 1856. Passed the Senate, December 9, 1856. Approved December 15, 1856.]

## CHAPTER 854.—[No. 80.]

AN ACT for the relief of N. O. J. Staley, Tax-Assessor and Collector of Jackson county.

Appropriation  
for.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the Comptroller of the State be and he is hereby authorized to audit and allow to N. O. J. Staley, Tax-Collector and Assessor of Jackson county, twenty-seven dollars (\$27) for and upon his depositing with the Treasurer of the State certain bills of the Manufacturers' and Mechanics' Bank of Columbus, Georgia, amounting to twenty-seven dollars, which said bills were taken and received by said Staley for taxes when bills of said Bank were good and current.

[Passed the House, December 4, 1856. Passed the Senate, December 8, 1856. Approved December 15, 1856.]

## CHAPTER 855.—[No. 81.]

AN ACT to declare Yellow River navigable.

Declared navi-  
gable.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That Yellow River shall be and is hereby declared navigable from Black Water Bay to the Alabama Line.

SEC. 2. *Be it further enacted,* That if any person or persons shall

obstruct or cause to be obstructed said river so as to prevent navigation, such person or persons shall be liable to indictment, and, on conviction thereof, shall be fined, at the discretion of the jury, in any sum not exceeding one hundred dollars.

[Passed the Senate, December 4, 1856. Passed the House, December 8, 1856. Approved December 12, 1856.]

1856.

Penalty for obstructing.

CHAPTER 856.—[No. 82.]

AN ACT to supply the Deficiency of the Appropriation of the last Fiscal Year for Contingent Expenses of the Supreme Court.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That the sum of three hundred dollars be and is hereby appropriated for the purpose of meeting the deficiency of the appropriation made by the last General Assembly for the payment of the contingent expenses of the Supreme Court.

Appropriation for deficiency.

[Passed the House, December 17, 1856. Passed the Senate, December 19, 1856. Approved December 26, 1856.]

CHAPTER 857.—[No. 83.]

AN ACT to Supply the Deficiency of the Appropriation of the last General Assembly.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That the sum of six thousand dollars be and is hereby appropriated for the payment of jurors and witnesses, and the sum of six thousand dollars appropriated for the payment of criminal prosecutions and contingent expenses of Circuit Courts, to meet the deficiency under the last appropriation bill.

Appropriations for Jurors, Witnesses, Criminal Pros. and Cont. Exp. of Courts.

[Passed the House of Representatives, November 28, 1856. Passed the Senate, December 1, 1856. Approved December 5, 1856.]

CHAPTER 858.—[No. 84.]

AN ACT making Appropriations for the Expenses of the State Government for the Fiscal Year 1857, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Represen*



1856.

## Appropriations.

*tatives of the State of Florida in General Assembly convened*, That the Comptroller of the State be required to issue warrants to the following persons, viz: To Philip Dell, President of the Senate, \$279; J. R. Brooks \$252, D. B. Bird \$117, W. A. Brinson \$132, W. F. Cone \$180, W. J. J. Duncan \$152, T. J. Eppes \$202, John Eubanks \$252, J. Filor \$466, George D. Fisher \$237, E. Hopkins \$209.50, G. E. Hawes \$252, W. J. Keitt \$207, T. B. Lamar \$106, J. T. Myrick \$141, L. G. McElvy \$113, M. J. McBride \$112, E. D. Tracy \$212, Isaac Welch \$197, J. McR. Baker \$227. To H. V. Snell, Speaker of the House, \$379; L. Duval \$106, P. B. Brokaw \$102, C. Chaires \$107, G. W. Parkhill \$108, B. Bellamy \$122, G. Whitfield \$113, Joshua Taylor \$114.50, Henry Pope \$127.14, H. H. Slaton \$148.50, J. B. Roulhac \$139.50, Samuel Knight \$302, G. B. Smithson \$162, Wm. E. M. Cousins \$157, H. R. Alford \$177, W. W. Hull \$202, Samuel Buffington 202, W. W. Hankins \$158.25, M. W. McLeary \$132, J. M. McQueen \$177, John Frink \$152, John S. Heermans \$361, Hutto L. Braddock \$224.50, Wm. S. Delk \$302, J. M. Wilson 113, J. P. Carter \$110, J. W. Johnson \$227, J. P. Campbell \$172, H. B. Irwin \$167, Tillman Ingram \$189.50, D. A. Voght \$207, S. Helvenston \$207, J. Penn \$202, A. J. Clyatt \$214.50, J. Gettis \$277, Paul Arnau \$231, P. J. Fontane \$466, J. R. Nicks \$252, J. M. Mims \$237, R. R. Golden \$172, E. Holmes \$152, C. Gonzalez \$252, R. H. M. Davidson \$106. To Rev. D. M. Turner, Chaplain of the Senate, \$50; S. J. Perry, Secretary of the Senate, \$170; P. H. Young, Assistant Secretary, \$136; G. F. Hatheway, Enrolling Clerk, \$136; N. M. Havens, Engrossing Clerk, \$136; J. Robinson, Sergeant-at-Arms, \$136; J. B. Cason, Door-keeper, \$136; J. White, Messenger, \$136. To Rev. J. Anderson, Chaplain of the House, \$50; H. A. Corley, Clerk of the House, \$170; S. W. McElvy, Assistant Clerk, \$136; J. L. Tatum, Engrossing Clerk, \$136; W. McPherson, Enrolling Clerk, \$136; J. H. Sappington, Sergeant-at-Arms, \$136; A. B. Campbell, Door-keeper and Messenger, \$136. For printing Slips, Journals and Laws, \$5,000; for contingent expenses, stationery, &c., \$319.09; arrearages of Clerk's pay of adjourned session, \$20; repairing Picture of Washington, \$30. To Nelson Brown, servant, \$45 25.

SEC. 2. *Be it further enacted*, That the following sums be and they are hereby appropriated for the fiscal year 1857, to wit: For salaries of public officers, \$23,100; for contingent expenses of State government, \$5,000; for criminal prosecutions and contingent expenses of Circuit Courts, \$12,000; for jurors and State witnesses, \$13,000; for contingent expenses of Supreme Court, \$2,000; for residence of Governor, \$500; for preparing rooms in basement of Capitol building for an armory, and removing arms to same, \$250; for lands bought in for taxes, \$200; for expenses of Presidential

For salaries, &c.  
for 1857.

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1856.

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election of 1856, \$1,000; for post mortem examinations, \$500; for interest on borrowed money, \$30,000.

SEC. 3. *Be it further enacted*, That the following sums be and they are hereby appropriated for the fiscal year 1858, to wit: For salaries of public officers, \$23,100; for contingent expenses of State government, \$5,000; for criminal prosecutions and contingent expenses of Circuit Courts, \$12,000; for jurors and witnesses, \$13,000; for contingent expenses of Supreme Court, \$2,000; for residence of Governor, \$500; for lands bought in for taxes, \$200; for post mortem examinations, \$500; for 9th General Assembly, \$20,000; for interest on borrowed money (\$35,000,) thirty-five thousand dollars.

For salaries, &c.  
for 1858.

SEC. 4. *Be it further enacted*, That all monies raised by the bill entitled "An Act to provide for the payment of the debts of the State" are hereby appropriated for the purposes therein expressed, and for no other, and that the supplies for subsistence and forage furnished the State troops while engaged in protecting the frontier shall be first paid.

Monies raised by  
loan, how ap-  
plied.

[Passed the House, December 27, 1856. Passed the Senate, December 27, 1856. Approved December 27, 1856.]

ADDITIONAL  
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ADDITIONAL  
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# RESOLUTIONS

Passed at the Eighth Session of the General Assembly.

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[No. 1.]

A Resolution asking Congress to establish a Mail Route.

1856.

*Be it resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That our Senators and Representatives in Congress be requested to urge upon the proper department the establishment of a weekly Mail Route from the Marion Cross Roads in Jefferson County via Finholoway, Econphenia Spring, Warrior and Cook's Hammock to Clay Landing on the Suwannee River, distance of ninety miles, being the most practicable and direct route through the lower part of Madison County.

Mail route asked

[Passed the House of Representatives, December 5, 1856. Passed the Senate December 6, 1856. Approved December 11, 1856.]

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[No. 2.]

Resolution asking Congress to establish a Mail Route from Mellonville to Bay Port.

*Be it resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That our Senators and Representative in Congress be requested to use their efforts to obtain the establishment by Congress or the proper department at Washington of a Mail Route from Mellonville in Orange County, via Apopka Lake, Harris Lake, Adamsville, Sumpterville, Mourroe's Ferry, Pierceville and Spring Hill, to Bay Port.

Mail route asked

[Passed the House of Representatives, December 20, 1856. Passed the Senate, December 23, 1856. Approved, December 27, 1856.]

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[No. 3.]

Resolution asking Congress to establish a Mail Route.

*Be it resolved by the Senate and House of Representatives of the*



1856.

Mail route asked

*State of Florida in General Assembly convened, That our Senators be instructed and our Representative requested to use their best exertions for the establishment of a Mail route from the House of Geo. E. McLellan's on Little River in Columbia County to Shoal Town on Suwannee River, via Samuel Barber's and Wm. Johnson's, a distance of thirty miles.*

[Passed the House of Representatives, December 19, 1856. Passed the Senate, December 22, 1856. Approved, December 27, 1856.]

## [No. 4.]

Resolutions asking Congress to grant Lands to this State in lieu of the 16th Sections in Forbe's Purchase and the Arredondo Grant and all other Grants.

Preamble.

WHEREAS, by an act of Congress, the 16th Sections of each Township of the Public Lands have been granted to the State of Florida for School purposes, and as the 16th sections embraced in the Forbe's Purchase and the Arredondo Grant, and all other Grants, were not subject to such appropriation: *Therefore*

Requesting  
grant of lands in  
lieu of 16th sec-  
tions in Forbes'  
Purchase, &c.

*Be it resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened, That our Senators be instructed and our Representative requested to use all proper efforts to procure an Act of Congress, granting to the State of Florida Lands to the amount of the 16th sections embraced in the above Grant.*

Governor to for-  
ward.

*Be it further resolved, That the Governor be requested to cause to be forwarded to our Senators and Representative in Congress each a copy of these resolutions.*

[Passed the Senate, December 5, 1856. Passed the House of Representatives, December 11, 1856. Approved December 27, 1856.]

## [No. 5.]

Resolution asking Congress to grant the St. Francis Barracks to the City of St. Augustine.

Preamble.

WHEREAS St. Francis Barracks and the adjacent lots in the City of St. Augustine, the property of the United States, is without use or profit to the Government and might be converted to important State purposes, in the establishment of a Collegiate Institution—*Therefore,*

Requesting  
grant of Bar-  
racks

*Be it resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened, That our Senators be instructed and our Representative requested to use all proper*

1856.

means to obtain from the Government a transfer of title of the said property to the City of St. Augustine.

[Passed the House of Representatives, December 24, 1856. Passed the Senate, December 26, 1856. Approved December 27, 1856.]

## [No. 6.]

Resolution for the Relief of John S. Perry.

*Be it resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That whenever the West half of the Northeast quarter of section 30, in township 17, range 23, South and East, shall have been confirmed to the State of Florida by the General Government, it shall be the duty of the Register of Public Lands of this State to sell the same to John S. Perry, of Marion county, at the appraised value, upon his application, in preference to all other persons.

Register to sell  
lands to, when.

[Passed the House, December 8, 1856. Passed the Senate, December 11, 1856. Approved December 23, 1856.]

## [No. 7.]

Resolution for the relief of R. H. M. Davidson and M. M. Johnson.

*Be it resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the Comptroller be requested to issue his warrant on the Treasurer in favor of R. H. M. Davidson and M. M. Johnson, being the amount of their mileage and per diem during the time they held their seats as members from Gadsden county.

Appropriation  
for.

[Passed the House, December 8, 1856. Passed the Senate, December 10, 1856. Approved December 23, 1856.]

## [No. 8.]

Resolution for the relief of J. W. Bryant.

*Be it resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the Treasurer be directed and the Comptroller authorized to pay and audit the account of J. W. Bryant, late member from Putnam, at the same rate

Appropriation  
for.

1856.

of mileage and per diem paid the members of the General Assembly up to the 10th day of December, 1856.

[Passed the House, December 10, 1856. Passed the Senate, December 12, 1856. Approved December 23, 1856.]

## [No. 9.]

*Resolved*, That in consideration of the increased amount of services performed by the President of the Senate and Speaker of the House of Representatives, they be and are hereby allowed double rate of per diem.

[Passed the Senate, December 26, 1856. Passed the House, December 26, 1856. Approved December 27, 1856.]

## [No. 10.]

Resolution for the relief of John B. Cason and David Gray.

*Resolved*, That the Comptroller be authorized, and he is hereby directed to issue his warrant on the Treasurer in favor of John B. Cason and David Gray, each for the sum of twenty-four dollars, this amount being due said Cason and Gray for services as Door-keeper and Messenger, and Sergeant-at-Arms respectively, during the session of the General Assembly in 1852 and '53.

[Passed the Senate December 27, 1856. Passed the House of Representatives, December 27, 1856. Approved, December 30, 1856.]

## [No. 11.]

Resolution for the relief of Robert Youngblood.

*Resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened*, That the Comptroller be and he is hereby authorized and required to audit the accounts of Robert Youngblood, late Clerk of Alachua county, and draw a warrant in favor of said Robert Youngblood for the amount he may find due.

[Passed the Senate, December 3, 1856. Passed the House, December 6 1856. Approved December 11, 1856.]

Double per diem  
to President and  
Speaker.

Appropriation  
for.

Appropriation  
for.

# RESOLUTIONS.

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1856.

[No. 12.]

Resolution authorizing the Governor to turn over forty Muskets and Accoutrements to the Ancient City Guards.

*Be it resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the Governor of this State be and he is hereby authorized to turn over forty muskets and accoutrements out of the State Armory to the "Ancient City Guards," a company organized in the city of St. Augustine, on application of the officers of said company for the same: *Provided,* That the officers of said company, or others for them, shall give proper bond for the return of said arms and accoutrements, in good condition, when required by the Governor of this State.

Governor to turn over Arms.

Proviso.

[Passed the House, December 26, 1856. Passed the Senate, December 27, 1856. Approved January 2, 1857.]

[No. 13.]

Resolution relative to the establishment of a Land Office in the Town of Milton, Santa Rosa County.

*Be it resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That our Senators and our Representative in Congress be requested to procure the establishment of a Land Office in the town of Milton, Santa Rosa county.

Asking Congress to establish.

[Passed the Senate, December 8, 1856. Passed the House of Representatives, December 15, 1856. Approved, December 18, 1856.]

[No. 14.]

Resolution providing for the copying the Laws passed by this General Assembly.

*Be it resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the Governor be, and he is hereby authorized to employ Jerman Baker to copy the Laws passed by this General Assembly; and that the sum of One Hundred Dollars be, and the same is hereby appropriated for that service.

Jerman Baker employed.

Appropriation.

[Passed the Senate, December 22, 1856. Passed the House of Representatives, December 24, 1856. Approved January 1, 1857.]





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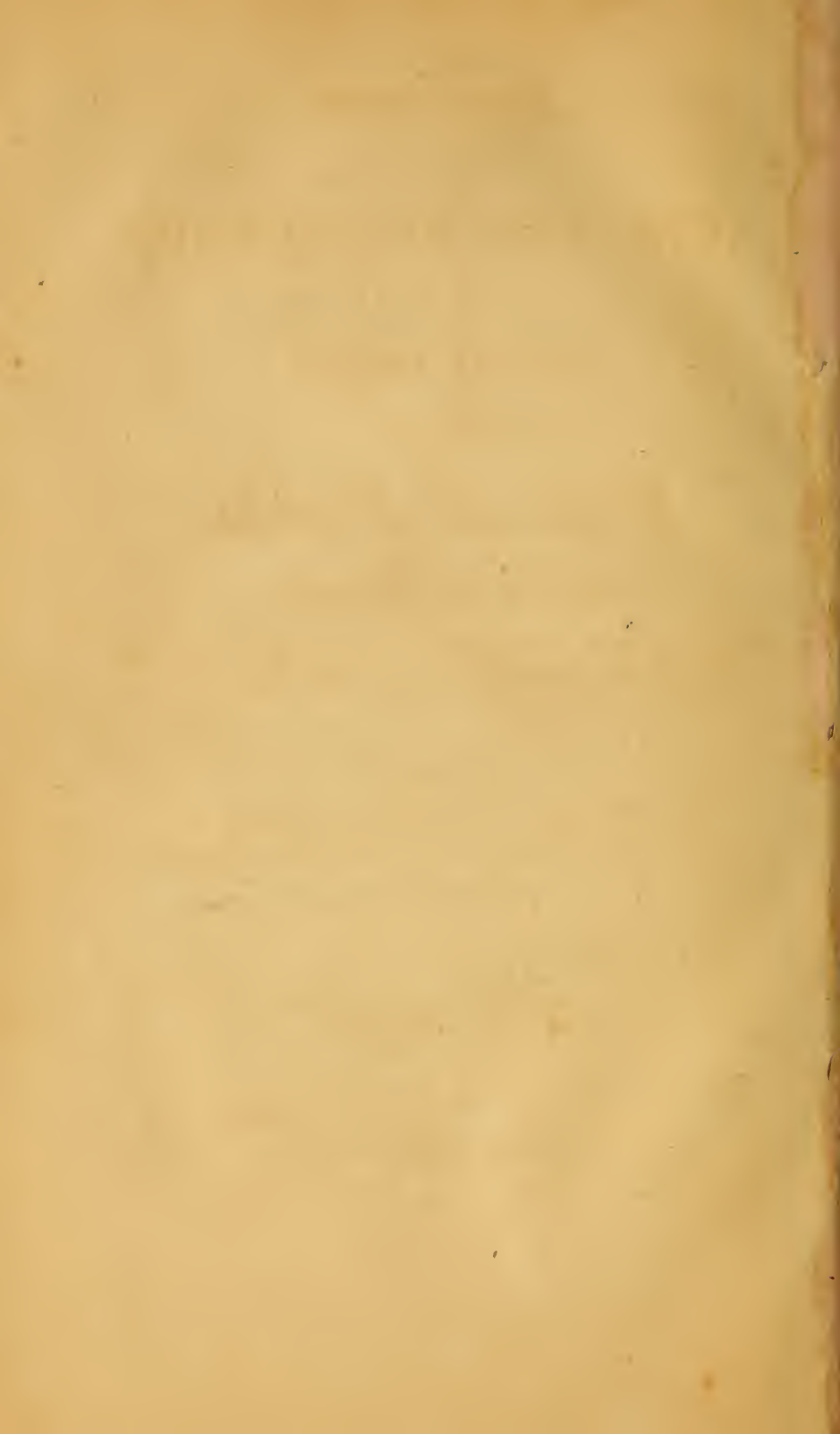
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